353.9
Il63m
1971
cop.3

AUG. 26th 1818

1971 SESSION
77TH GENERAL ASSEMBLY

LEGISLATIVE MESSAGES

RICHARD B. OGILVIE
GOVERNOR OF ILLINOIS

THE LIBRARY OF THE
NOV 8 1972
UNIVERSITY OF ILLINOIS
AT URBANA-CHAMPAIGN
ISL

AUG. 26th 1818

1971 SESSION
77TH GENERAL ASSEMBLY

LEGISLATIVE MESSAGES

RICHARD B. OGILVIE
GOVERNOR OF ILLINOIS

Digitized by the Internet Archive
in 2016

https://archive.org/details/messageofgoverno1971illi

SEAL OF THE STATE OF ILLINOIS
AUG. 26th 1818

Richard B. Ogilvie
Governor

CONTENTS

Page
The State of The State Message 5
Special Message on Traffic Safety 12
Special Message on Official Disclosure 20
Special Message on Transportation 23
Special Message on Conservation 34
Special Message on Education 42
Special Message on Mental Health 51
Special Message on Corrections 61
Special Message on Federal Aid 71
Special Message on Insurance 82
Special Message on Health Care 90
Special Message on Drug Abuse 103
Special Message on Children 113
Special Message on Welfare Reform 122
Special Message on Pre-Emption of Home Rule 137
The Budget Message 140
Special Message on Higher Education 151
Special Message on Welfare 154
Record of Action, Regular Session 157

Messages:

Senate Bills, Regular Session 164
House Bills, Regular Session 213

Record of Action, Fall Session 323

Messages:

House Bills, Fall Session 326
Senate Bills, Fall Session 334

List of Bills Concerning Statutory Revisions 338
List of Bills Identical or Similar 339
Index 341

"THE STATE OF THE STATE"

Message to the Illinois General Assembly
Springfield, Illinois, Jan. 6, 1971

Mr. Speaker, Mr. President, Members of the General Assembly, fellow citizens of Illinois:

We meet here in the city of Lincoln at the dawning of a new era for Illinois.

We face a challenge of historic dimensions, equalled only by the opportunity it offers for building a greater Illinois.

Confronting another great challenge more than a century ago, the man whose spirit still lights this city faced the ominous threat of civil war with determination and confidence.

"We cannot escape history," Lincoln told the Congress. "The trial through which we pass will light us down, in honor or dishonor, to the last generation. We know how to save the union.

"We here have the power — and we bear the responsibility."

So, too, we in this room bear the power and the responsibility to grasp an opportunity unknown in the lifetime of any of us.

In a sense, we also seek to preserve the union—by assuring that one of its most vital constituent parts—this great state—can function effectively for those generations who will pass judgment on what we achieve here in the next few months.

We stand on the threshold of greatness. It is a time for statesmanship, not partisanship; a time for decision, not dissension.

* * *

Just three weeks ago, the people of Illinois put an end to the frustrations of dealing with the complex problems of a technological age under the narrow strictures of a charter written for a simpler era. To their everlasting credit, they succeeded where the people of nine out of twelve other states have failed in the past four years.

I regard that historic vote as the most important achievement during this administration — or any other in our memory.

With that referendum, we overturned the antiquated obstacles to effective government, and created a once-in-a-lifetime opportunity to prove, even at this late hour, that this state can indeed be a viable instrument for orderly progress in our unique federal system.

I, for one, believe we will grasp the opportunity which was given to us on December 15.

I believe we will meet our responsibility not only because we now have the legal machinery with which to accomplish the task, but also because we have created, during the past two years, the solid foundation on which to build.

We put this state on a sound financial footing for the first time in a generation, and then proceeded to develop the momentum which can carry us forward through the difficult months ahead.

In accordance with my constitutional mandate to report to you on the condition of the state, I would like to review briefly the elements of that achievement.

* * *

Two years ago, this administration took office in the midst of a serious fiscal crisis.

When the 76th General Assembly convened in 1969, its members confronted the sobering prospect of a deficit approaching $1 billion.

During the previous 18 months, $102 million had been transferred from earmarked funds to the general fund. Expenditures from the general revenue and common school funds had exceeded income by $155 million.

With no attempt at exaggeration, I warned this assembly just 23 months ago that Illinois was teetering on the very brink of bankruptcy.

It is as useless now as it was then to attempt to assess the blame for that sad condition. For too long, both parties had tried to gain partisan advantage from the approaching disaster.

In simple terms, we were suffering from a crisis of responsibility — a failure of long standing to make the hard and unpopular decisions essential to our financial survival.

The people of Illinois were entitled to expect more. They expected their elected officials to face squarely the problems confronting Illinois, and to develop workable solutions.

And in a spirit of common determination, we met those expectations.

Following a thorough study of our fiscal needs by a bipartisan commission of experts appointed by the previous governor, we proposed the enactment of an income tax for Illinois.

None of us expected that recommendation to be popular. But I knew — as you did — that we were faced with a clear choice between action and chaos, between fiscal responsibility and state bankruptcy.

We chose the former course, and in so doing, enabled the state to meet its commitment to the education of our children, to the maintenance of law and justice, to continued economic development, and to the improvement of those vital human services provided by state and local governments.

Critics have been quick to note that spending has increased during the past two years. And so it has.

But let us review for a moment where the money was spent. Let us consider those firm priorities which we established as the primary objectives of this government: education, medical care, law enforcement, pollution control, transportation services, and direct assistance to our hard-pressed local units of government.

And let us recall too that we have been saddled with the spiraling demands of a disastrous national welfare system which the Congress has implacably refused to reform.

Here are a few of the needs we faced, and the commitments which were made possible by a modern revenue system:

Major State Commitments
(in millions)

	1969	*1971*	*Per cent increase*
Elementary and secondary education	$592	$1016	72
Higher education	464	640	38
Public welfare and medicaid	541	858	59
Children and family services	34	70	106
Corrections	56	76	36
Revenues available to local government (including MFT and sales taxes)	287	520	81
Highways	794	1088	37

Because we met our collective responsibility to the future of this state, we were able to raise the foundation level of aid to local school districts from $400 to $520 per pupil . . . to initiate a $28 million aid program to crowded urban schools . . . to greatly expand the junior college program . . . and to increase scholarship aid by more than $15 million.

Because we asserted our leadership, we have been able to distribute $22 million in grants to improve local police agencies, jail facilities and the administration of justice. We have developed a comprehensive program for securing law and order based on more than hollow rhetoric.

That revenue program enabled us to strengthen an undermanned state police force and modernize our deteriorating roads. As a result, we have reversed the upward toll of traffic deaths for the first time in a decade.

We were able to undertake a long-overdue expansion of our facilities for the mentally retarded, and to upgrade care for the forgotten elderly who for too long had been stored away in mental institutions.

We were able to step up our attack on the sickening traffic in illicit drugs, dramatically increasing the rates of arrest and seizure of drugs, and earning our program of methadone treatment international respect.

We were able to mount a more far-reaching attack on the problems of environmental pollution than any state in the nation.

Because we chose the path of responsibility, we were able to create a full-time, professional parole board, and launch innovative rehabilitation efforts in our penal institutions which promise to reduce the number of repeat offenses.

Our enactment of a modern revenue structure also served another vital purpose: it paved the way for the first substantial program of tax reform in more than a generation.

The increased revenues enabled us to eliminate the pernicious personal property tax, and to initiate a first-in-the-nation program of revenue sharing which has relieved the incessant pressure on our overburdened local real estate taxes. Those revenues also paved the way for new exemptions for the elderly, for veterans and the handicapped.

* * *

In retrospect, the record of the past two years is a record of promises kept and responsibilities met. And it provides you with a model on which to pattern your actions as you tackle the challenges which remain.

For whatever our success — and it has been substantial — it is clear that much remains to be done.

The complex and interrelated problems of our cities — unemployment, human relations, inadequate transportation, poverty, illiteracy and crime — have continued to grow, and will prove expensive to solve. By the same token, our important rural areas have decayed in the wake of a headlong rush toward urbanization.

Bold action is required. The price of failure will be chaos, and even the collapse of the political system as we have known it.

We must meet these new and remaining challenges as we met those of the past two years. In so doing, one thing will be clear:

With the adoption of a new state constitution, we no longer have the excuses for inaction that we have used so frequently in the past.

The people of Illinois placed at our disposal last December 15 the means for coming to grips with the problems. The onus is clearly on us in this chamber to implement that historic achievement and build on the solid foundations of the last session.

We must look beyond the next election, into the next decade and the next century.

Future generations will judge us not on the basis of whether we win reelection. Rather, they will judge us on the courage and determination with which we discharge the responsibilities imposed on us by the people we serve.

During the coming months, you will receive many recommendations and requests for legislative action. You will receive messages from me relating to my concerns and ideas for better serving the citizens of this state.

But only you in this assembly can make those specific legislative decisions which will shape our destiny. That prerogative is yours alone — and responsibility for the results is yours as well.

Your goal must be nothing less than to enhance the quality of our lives. The people are demanding — and they deserve — a state that is safer, healthier, cleaner, and more responsive to their needs.

* * *

You will be challenged to carry on and improve those programs we have begun, and to address those urgent problems yet unresolved.

To these ends, I intend to submit to you proposals on transportation, health care, drug abuse, law reform and other vital issues. They are complex and controversial matters. They will require that you place the future of Illinois and the welfare of its people ahead of narrow factional advantage.

I would also like to add that, in my judgment, certain events of recent days demand action to restore public confidence in government and in those who administer it.

And let us not delude ourselves that the public will be mollified by halfway measures.

I intend to recommend to this assembly measures requiring full disclosure of income and assets by all public officials — as well as stricter rules of ethics.

Furthermore, the public demands and is entitled to have this Legislature establish rules governing political spending in every form, not only by candidates, individuals, and committees, but by political parties and all party subdivisions.

This will be one of the most immediate of the many challenges you will face.

You will be challenged to implement the new constitution in a manner that will endure for generations. The care and statesmanship which you bring to this task could be as important as the language of the constitution itself.

You will be challenged to reapportion Illinois for the decade of the 1970's. Success in this delicate task will demand large measures of fairness, pragmatism, and above all, a firm determination to avoid the sort of deadlock which would threaten the chances for passage of every vital measure before this assembly.

You will be challenged to come to grips with a disastrous welfare system which destroys hope as it threatens our financial stability. This critical problem will require your thoughtful consideration of innovative answers, as well as your strong support for a program of federal revenue sharing to forestall fiscal collapse.

You will be challenged to finish the job of state and local tax reform which began two years ago. The new constitution, for example, now makes it possible to remove the sales tax from food and medicine. But when you accomplish that long-sought goal, you must also find a way to replace the lost revenues responsibly and equitably.

Property tax burdens must be distributed honestly and fairly. But you must protect the financial support for the schools and community services which depend upon property taxes to function.

The ultimate challenge for all of us will be to work together for the common good—to deal forthrightly with our problems and make life more decent for the citizens we serve.

* * *

Our joint responsibility has never been so clear.

Never before has the balance been so fine or the mutual dependence so close—between governing parties, between houses of this assembly, or between branches of state government.

The challenge transcends partisanship. Beside it, the careers of all of us here pale into insignificance.

No more noble mission can be given men than to rekindle hope in the future and rebuild confidence in our institutions.

That mission is our mission. And no party, no faction, no individual can escape accountability in the months ahead.

But mere abstract knowledge of the problems we face and the needs to be met will not suffice as we undertake that mission. Only a deep understanding and an abiding concern for the needs and aspirations of our citizens can steel us for the task ahead.

One of America's most distinguished poets, Archibald MacLeish, has observed that "knowledge without feeling is not knowledge . . . it can only lead to public irresponsibility and indifference, and conceivably to ruin."

We can avoid the shoals of ruin, and follow the path of responsibility, if we place human needs ahead of partisan gain . . . if we join hands in a common effort to heal the divisions which tear at the fabric of society.

We can succeed, and we will succeed, but only if we demonstrate in deed the courage to which we give expression in our words . . . the courage, as Theodore Roosevelt observed, "to approach these problems with the unbending, unflinching purpose to solve them aright."

As we meet that responsibility, then we shall have honored the legacy of Lincoln. Then, we shall have honored ourselves down to that last generation which will judge what we do here.

To these ends, I ask your cooperation. And again, I pledge you mine.

TRAFFIC SAFETY

THURSDAY, JANUARY 28, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the Seventy-seventh Illinois General Assembly:

Highway safety—rather the lack of it—has been a source of deep sorrow and shame in the American past. It is not a new problem suddenly thrust upon us and dubbed a "crisis".

For too long we have lived, and too often died, with conscious awareness of this tragedy. It is high time that we set our sights, marshal our resources, and make steadfast our commitment to erase this blight from our land. The citizens of Illinois deserve no less.

Therefore, it is with great anticipation and hope that I submit for your consideration the following special message on a subject of vital importance to Illinois.

* * *

The statistics of highway horror in Illinois are all too familiar: thousands of lives lost each year; tens of thousands of people injured, crippled and maimed; millions of dollars worth of property destroyed; skyrocketing insurance rates and repair bills; valuable resources of a healthy society wasted in this senseless carnage.

This situation today makes it almost impossible to believe that there was once a love affair, of sorts, between the American and his automobile. It was phenomenal while it lasted. Those were the days when driving a car had a marvelous excitement. Whole generations of Americans came to identify the automobile with youth, with a gaudy, glorious, irretrievable sense of power and adventure.

Vast industries—oil and steel and glass—flourished because of this love affair with the automobile. Whole new facets were added to the American culture—the drive-in theater, the shopping center, even the parking meter. The stabling of the family car became a major factor in housing: it has been estimated that 13 percent of the floor space in the average home is devoted to the family car.

But in the 1970's the old, glowing exaltation of driving a car is gone. The whole affair has gone sour. We speak now of fumes and congestion. We worry now about bad roads and bad drivers, about poorly-constructed cars and the high costs of keeping them running. We have begun to search for ways to extricate ourselves from our costly dependency upon this source of frustration.

It is a basic value in our society that man must be secure in his own environment, and that includes his driving environment. That security must include protection from the wanton and reckless assault on human life that occurs on our roads each year. We cannot strive as public servants to raise the quality of life in our time only to see so many lives taken so brutally, so casually, by traffic accidents. Man, we must insist, has a higher destiny than to sacrifice his life on the highway.

Our concern must be total. We must not deal with isolated issues in accident prevention, but with all aspects of man's driving environment. We must consider the delicate balances among such elements as the driver, the road he drives on, the car he drives in, and the spiraling climate of costs that surrounds him.

It is this total set of interrelated concerns that should have occupied our efforts to date. It is to this total picture that we must direct the whole perspective of what we are seeking for Illinois.

Consider the implications of our highway network. There are over 135,000 miles of road in Illinois. The 1971 highway program for Illinois will cost almost one-half *billion* dollars.

Today's road system is a highly complex, powerful — and not entirely benign—organism. Highways literally determine the future geometry of the nation—where the towns and commercial centers and industrial complexes of the future will be. So highways must be constructed with concern for esthetic, ecological and sociological considerations in addition to economic and engineering factors.

The modern highway system is deeply and antagonistically involved in man's almost visceral fight for space. It is built to serve us, yet at the same time, it competes with us for space. Vast tracts of land in our cities are devoted to the automobile. A crosstown ride in a busy city at rush hour will demonstrate how the auto and the roadway annihilate space and air in more senses than one.

There must be a better balance between the esthetics and economics and engineering of a roadway system, including the engineering of its safety. Obviously, the engineering of roads demands a perspective and purpose.

At one time it was all quite simple. The early roads often followed animal trails or grew out of the old Indian footpaths. Thus, they tended to trace a "high and dry" route that would not be flooded by spring rains or melting snow and that might be kept clear of leaves by the wind. They also tended to follow the line of least resistance. Today there *is* no such line. The routing of the modern highway involves a lengthy process of persuasion and negotiation that makes the Cold War seem simple.

But one thing we are agreed upon is that the modern highway must be made safer. In the last few years we have advanced enormously in this respect. We are able to compensate now for some of the insidious dangers of highway design—the dulling, lulling effect of long hours of driving that comes not just from the monotony of an undeviating roadway but from the almost hypnotic thrum of tires going over the expansion joints in the roadway surface.

We know that proper materials design can ensure a good gripping surface for the tire when it's raining and yet provide a road surface which will not hold water that turns the highway into an ice sheet in the winter. We have learned the importance of road signs that break easily under impact instead of standing so firm and unyielding that they crush any car that careens off the road into them. I am pleased to say that these and other developments in safety engineering are almost routine parts of the highway program in Illinois.

Such safety engineering developments have an enormous impact on accident statistics. Since the state and federal governments began working together on the nation's road system, and particularly since they went to work in 1956 on the 42,500 mile Interstate Highway System, the safety factor has increased significantly. The death rate on the Interstate System amounts to half that on other roads in the comparable areas. Indeed, it has been calculated that more than 5,000 lives a year are saved through the engineering and use of the Interstate System, as compared with travel on older roads.

We know now not only that we *must* make roads safer but that we *can* make them safer, and that the mind of man is capable of controlling this particular aspect of his driving environment.

However, this is not our only area of concern. We must also attack another factor in the driving system — the car itself. Its very fragility is one of the agonizing reflections of a deteriorating quality in our lives.

There was a time when autos were sturdy enough to survive a hard bump undamaged. Today they fall apart too easily and are then difficult and costly to repair.

There are few things more distressing in everyday life than the trend to more fragile cars. The cost of such fragility in human misery — in damage to the human body — is incalculable. The cost in money — in damage to the car — is enormous: this year Americans will spend more money to repair cars damaged in accidents than they will on the entire space program, and far more than on the SST.

When we speak of re-ordering the priorities in American life we must speak not only of national issues, but of eliminating the iniquitous and costly experiences of everyday life. This certainly includes the experience of having endlessly to repair the cars coming off Detroit's production lines. It is unthinkable that a nation which could land men on the moon will not design—will not *demand*—a car-bumper that can prevent damage and injury in a five or ten mile an hour collision in a shopping center parking lot.

In seeking the balance of a safe driving environment, we must recognize how carefully all the elements in that balance work together, and how easily they are unbalanced by impetuous or misplaced concepts.

For example, we have heard much about revolutionary methods of insuring autos, as well of insuring auto passengers, drivers and pedestrians. Certainly, insurance is a vital part of the cost factor in our driving environment.

Just recently I requested the Illinois Department of Insurance to examine and evaluate the various programs which have been recommended in Illinois and other states concerning changes in the automobile reparations system. The department's report will be ready in mid-March.

In addition, legislation has been suggested relating to the sounder regulation of insurance companies and the protection of individuals whose insurance companies become insolvent. The Illinois Department of Insurance soon will outline legislation for your consideration in these areas.

Despite our concerns for safer roads, sturdier cars and fuller protection against damage, the weakest point in the driving system is man himself. If we believe man is capable of improvement, we must strive for greater perfection in his performance on our highways. In some cases, such as drunken driving, we must protect man, as well as society, from himself. This must be done through the denial of a driver's license to those who would endanger the driving environment.

That there has been a certain ambiguity in the licensing of drivers in the past is due, I suspect, to the lack of a clear-cut demand from the community that dangerous and drunken drivers be taken off the road. Occasionally this has resulted in a lamentable leniency in the granting of licenses to those whose driving capability is limited. In Kansas a few years ago, one official discovered that ten percent of those who received state aid-to-the-blind payments were still licensed to drive!

Fortunately, this situation is changing. In the past two years, 22 states have tightened their regulations regarding the implied consent provisions for revoking driver's licenses. Moreover, in recent years, some 26 states, including Illinois, have joined in a driver's license compact in which we exchange data on convictions for major offenses within our jurisdictions, including drunken driving. We refuse to license a driver whose license is under suspension or revocation in another member state.

We must continue to expand these positive and aggressive approaches to highway safety.

This administration pledges here and now to call upon the resources of all concerned citizens and agencies of state government to develop and implement a program for progress to make Illinois the number one state in the union in every aspect of traffic safety.

Our plan is ready. It embraces the balance demanded in an effective effort to enhance our driving environment.

* * *

I urge the General Assembly to support the following action steps in our safety program:

First, We must provide not only more roads but *better* roads. In the first two years of my term as governor, we have built or improved more than 3,800 miles of roadway in the State of Illinois. In the next year, we are planning to build and improve some 1,000 miles more. The improvements are in safety, as in all other features of road-building. We expect, for example, to have the new breakaway road-sign available for our highways in all corners of the state. The new East-West extension of the Illinois Toll Road will include the most modern safety features in the country.

Second, We must make sure there are safer drivers in those cars. I will soon ask the General Assembly to enact a breath test law for Illinois, as proposed by the Governor's Traffic Safety Coordinating Committee. We are presently one of only four states without such a measure. This bill will allow the suspension for three months of the driver's license of anyone who refuses to take a breatholyzer test when arrested for drunken driving.

Underlying this law is the notion that driving on the state's highways is a privilege which carries with it certain responsibilities. It is assumed that an individual who earns a license implicitly agrees in advance to take the test in the event he is arrested for drunken driving. If he elects to abrogate his part of the agreement by invoking his constitutional right against self-incrimination, then the state is empowered to withdraw its privilege by suspending his license.

This law is a good one. The test is a good one. The procedure is recommended by the National Highway Traffic Safety Administration and is supported by the Illinois State Bar Association. It is the most important single measure in the alcohol-control aspect of our traffic safety program.

Third, We must work to get safer cars on these new roads. I soon shall suggest to the General Assembly legislation that will require that all new cars sold in Illinois by 1973 be designed to withstand an impact up to five miles per hour. This Safe Bumper Law is just a start. In addition, we plan not only to support the U. S. Department of Transportation in its quest for safer cars, but we are going to search for further ways to make them mandatory in the State of Illinois. We must continue to insist that automobile manufacturers increase their efforts to improve the safety and durability of today's cars and make them less susceptible to theft.

Fourth, We must continue our vigorous program of enforcement of traffic laws, a program which in the last two years has shown remarkable progress and success. During that period we have expanded the State Police force in Illinois by 200 men. That is an increase of almost 15%. Not only have we given the State Police more men, we have also given them new equipment—the most modern equipment available in law enforcement. One result has been a significant increase in the number of arrests and convictions for traffic violations.

This year we will concentrate on an extensive series of new in-service training programs for all State Police personnel. We will double the staff of the safety education unit in an effort to bring safe driving information to more and more of our citizens. We will continue to provide our State Police with the most modern law enforcement equipment available.

In addition, I have asked the director of the Department of Law Enforcement to conduct an in-depth study to determine whether a further increase in the size of the Illinois State Police force is desirable. The director will make his recommendations to me on this matter no later than September 1, 1971.

Fifth, The Coordinator for Health Services has proposed an exciting and imaginative plan for the statewide organization and coordination of medical facilities which can be utilized for the emergency care of people who are critically injured, including injured victims of highway accidents. It is the first such statewide plan in the country and could easily become the model for the nation.

I have asked the Coordinator of Health Services, the State Comprehensive Health Planning Agency and the Department of Public Health to take whatever steps are necessary to ensure the initiation, implementation, and coordination of this much-needed program. I ask all state agencies to lend their full cooperation in this effort to make Illinois the leader in resolution of this problem.

Sixth, The Department of General Services is to be commended for its efforts in providing the safest possible state-owned motor vehicles for use by state employes. I have asked the Department of General Services to survey what the state can do to further ensure that state-owned motor vehicles are the safest available and that they are equipped with the latest in safety features.

Seventh, I have asked the Secretary of State to explore new ways in which Illinois can participate even more fully in the National Drivers Register. This service allows for the exchange of information among the various states regarding drivers' license suspensions, revocations, and convictions for traffic offenses. With complete and current information exchange, we can live up to our obligations under the Drivers License Compact and remove chronic offenders from our streets and highways.

Eighth, I have asked the Illinois Commerce Commission to survey the increasing hazards posed by grade level railroad crossings throughout the state and recommend procedures by which we can speed the installations of protection systems at these locations. In addition, I shall soon suggest legislation which will increase by 50% the amount of state money contributed to the Railroad Grade Crossing Protection Fund.

There are over 16,000 highway/railroad grade crossings in Illinois. Illinois has many more miles of main line railroad and a far greater volume of railroad traffic than any other state. Protection devices have been installed at nearly 900 crossings since the Grade Crossing Protection Fund was established 15 years ago. Yet 100 people are killed each year in the state at railroad crossings. We must expand our efforts to eliminate such hazards.

Ninth, We must make people more aware of the need for traffic safety. Recently I appointed an individual to serve as an adviser to the governor on traffic safety. She will keep me informed of the latest advances in traffic safety as well as advise the public of the critical necessity for improved highway safety.

In addition, the Governor's Traffic Safety Coordinating Committee is currently engaged in an extensive public information campaign directed toward making our roads safer. The "Illinois Traffic Alert" program which is funded by that committee has reminded drivers all over this state of the increased need for traffic safety.

Tenth, I shall continue to encourage the members of the Governor's Traffic Safety Coordinating Committee to continue their efforts to identify safety problem areas. We must develop solutions that can quickly bring Illinois into compliance with the National Highway Safety Act and into the position of the Number One Safety State in the Nation.

* * *

These ten points in our Illinois Safety Program are only the beginning. We must — and we shall — go further.

Fortunately, some of the programs which we have pursued in the past two years are now beginning to show results. Illinois had the lowest automobile death rate in 1970 than in any year since Illinois began keeping records almost a half-century ago. Traffic deaths were down almost 10% over 1969. Some 200 lives were saved! Illinois now has one of the fastest declining automobile fatality rates of any state in the nation.

There is no single reason for this success. It is the result of a determined balance among the elements of the driving environment —better roads, safer cars, better licensing and stricter law enforcement. However, we must not be satisfied so long as there are people killed or injured on our highways.

We have committed ourselves to the betterment of our society, to an improvement in the quality of life for every man, woman and child in Illinois. We must work together in making our highways safer, in making the whole environment and experience of driving a more pleasurable one. It will take constant vigilance on the part of us all.

It is only through resolute purpose and formidable effort that we can make Illinois first in traffic safety.

OFFICIAL DISCLOSURE

TUESDAY, FEBRUARY 2, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the 77th Illinois General Assembly:

> *"Our government is the potent, the omnipresent teacher. For good or ill, it teaches the whole people by its example."* (Justice Brandeis, dissenting in Olmstead v. United States, 277 U.S. 438 at 485.)

Democracy is a process, and the integrity of the process affects all that comes from it. In the end, there can be no solid foundation for political results gained by a process which has at any point become corrupt.

I have come to believe that we have reached a point of danger because of the loss of confidence in the democratic process in Illinois. We cannot afford further degradation.

The problem does not arise only from the sensational reports of the last few weeks. It did not begin with the spending abuses of recent campaigns. In one degree or another, we have all been too insensitive for too long.

As a result, we have lost far too much: belief in ordinary decency, respect for the probity of our officials, and much mutual trust in ourselves and in our democratic process.

In the urgent words of President Wilson, the people have been deeply stirred, "stirred by the knowledge of wrong, of ideals lost, of government too often debauched . . ."

Further resignation to this state of affairs is intolerable, for that itself is corrupting.

We *must* restore the confidence of the public in the officials and institutions by which we govern. To do that, we must rebuild important parts of our system, using the fundamental elements of the democratic process. And let there be no evasion of the fact that the measures we frame truly must be responsive to the people and to the imperative need for them to have confidence in their government.

The reforms we adopt should be constructed to show the people what the facts are, and to give the people a basis for making a judgment on the propriety of the conduct of their officials. Meaningful official public disclosure laws, in my opinion, are vital to accomplish this aim.

We recognize that no one can guarantee or legislate morality. But we can expose to the glare of public scrutiny, to an inquiring press, and to an informed public those who would cut financial or ethical corners. We can increase the risk of exposure and enlarge the threat of punishment.

Above all, we must ourselves be honest in what we enact. The reforms must have genuine substance. Half-measures will not do. There must be no loopholes allowing advantage for some and evasion for others.

The only way we can rebuild public confidence in official integrity is to be tough. And the only way to be tough is to be tough on everybody.

In the spirit of these principles, I recommend to the General Assembly the following specific measures:

1. **A Political Spending Act, requiring full disclosure of campaign spending.**

This law should cover every election and referendum held in Illinois. It should cover all campaigns for public or party office from President down to the precinct level. It should cover all political spending, including financial support of party committees.

It should require disclosure of the total of all political contributions received, as well as the identity of large contributors. It should require disclosure of the total of all political expenditures, and the amount and purpose of all substantial items of expenditure.

These disclosures should be made on a regular and continuing basis. Full disclosures should also be required shortly before each election, so that the public can be the judge of practices that may be abuses.

False reports, material omissions and other violations of the law should be punished as crimes. It should also be a crime to promise any unethical official action as a consideration or reward for political contributions.

I recommend that this system of disclosure be administered by the State Electoral Board, because it is composed of our highest elected and party officials. The board should have the power to make investigations and to obtain court orders whenever necessary. The board should also have the right to make adequate disclosure on its own initiative, when a candidate or political committee fails to do so.

Legislation to establish a Political Spending Act is being submitted to you for your consideration.

2. **Revision of the existing Governmental Ethics Act to require detailed disclosure at all levels of government.**

The Governmental Ethics Act should apply to all leading government officials, including local officials. If ethics in government are important, they are important for local officials as well as state officials. I recommend, therefore, that the act be extended to all elected officials receiving an annual salary of $5,000 or more, and to all appointed officials receiving an annual salary of $20,000 or more.

The disclosure under the present Governmental Ethics Act is incomplete and too general as the act now stands. Disclosure should be required of all major sources of income, of substantial debts, and of substantial gifts and honorariums. The disclosure of economic interests should also be made specific, to indicate the exact identity of important interests.

Yesterday I directed that all appointed state officials and their major employes under my jurisdiction must comply with these disclosure requirements. But only legislation can extend the requirements to other state officers and to local officers.

A bill to revise the Governmental Ethics Act is being submitted to you for your consideration.

* * *

Action on this program will demand sustained, bipartisan leadership—fully committed leadership—to succeed. And the goal we seek demands that we *not* concede in advance that important elements of reform are not "practical" because of anticipated opposition in either political party. In the matter of official ethics, compromise is not the highest art of legislation. *We can pass anything we want,* if the various party leaders and the members of this Assembly are truly resolved to try.

This issue will test our commitment, and it will test our courage. For in this issue we must have the courage to exercise the fullest degree of self-restraint from narrow partisanship.

The task is clear and the time is now. I urge that you and I—and all who are concerned—put our duty to our state and its people first, before any other consideration.

If we can do that, we can also lay claim to the respect we would like for ourselves as good and just servants of our democratic process.

TRANSPORTATION

WEDNESDAY, FEBRUARY 17, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the 77th Illinois General Assembly:

Illinois is the transportation center of the United States. In the air, by rail and by water, and over the road, goods and people move more effectively within our borders than in any other state.

Our transportation capabilities are the foundation of our prosperity. Opportunities for jobs and business exist in direct relationship to our ability to get people to and from their places of work, to bring raw materials to industry, and to deliver finished products to consumers.

Illinois prospered during the 19th Century, and Chicago developed into the railroad center of the nation. Toward the close of the century and during the early years of the 20th Century, the second-largest mass transportation system in the nation was organized in Chicago, and interurban systems flourished in other parts of the state. Today, Illinois leads the nation in railroad employment with more than 60,000 jobs, and it is second only to Texas in total railroad mileage. Under the President's new Railpax proposal, 11 of the 16 recommended passenger routes between paired cities will traverse Illinois.

Forty years ago, Illinois similarly had become a model for other states in the development of a hard road system, and its fervor to make roads contributed significantly to the growth of industry and agriculture, and the exporting of farm and factory products.

Illinois has the world's busiest airport, serving more passengers every day than does any other facility in the world. The state as a whole ranks third in total air traffic and could become first if the planned southern Illinois airport reaches its contemplated potential.

Illinois commuter railroads serve an estimated six million riders with a degree of efficiency and comfort that cannot be matched in any other state.

Although we can, indeed, take pride in these achievements, we must not delude ourselves with the belief that all is well, or even close to being well.

Only a concentrated effort to eliminate the more dangerous conditions on downstate roads has reversed the trend to more highway accidents and more traffic fatalities. And while we can be proud of our national leadership in the rate of decline in traffic deaths, we must also acknowledge that there are still far too many deaths because our highways have not kept pace with the increase in automobile and truck traffic.

At the same time that high-speed traffic menaces drivers on these downstate roads, automobiles slow to a snail's pace on the expressways and main thoroughfares of the great urban centers of Illinois. Automobile traffic often moves no faster in our central cities than did the horse-drawn carriages of 100 years ago.

Mass transportation companies, whether privately or publicly owned, have allowed services to deteriorate as operating expenses increased and revenues declined. Their failure contributes in turn to the irrationality of bigger and faster passenger aircraft delivering more people to ground facilities which are totally inadequate to serve such a number of passengers.

We must not blind ourselves to the serious nature of our situation — it is one of emergency proportions. For if Illinois is to continue to have high employment, to enjoy a favorable business climate, to preserve its environment, and to improve the opportunities for the good life for all of us, we must take drastic and immediate action.

During the past 18 months, we have begun the job of rebuilding the Illinois highway system in downstate Illinois. At the same time, we have continued the planning and maintenance of the great urban expressway systems, and we have completed many new sections of the interstate network.

But much more is needed to return Illinois to a position of national leadership in transportation. We must raise our sights to the highest possible level and broaden our vision so that we see the problem of transportation as it is: *the most important challenge of 1971!*

Whether we like it or not, the problem is broad in its scope and complex in its nature. We cannot attempt to deal piecemeal with one phase of the problem and ignore others.

We cannot afford to view the problem through the blinders of geographic sectionalism or warped by the myopia of political partisanship. But we can — and must — reach a workable solution in the full realization that we must work with the revenues which are presently available for the task.

Therefore, *I will not propose any new taxes* to finance a transportation program this year.

Further, *I will not propose any diversion of motor fuel taxes.* These revenues will be used *only* for that part of the program which deals with construction or maintenance of the highway and expressway system.

Fortunately, the voters of Illinois have approved a new constitution which provides us with the opportunity for immediate action without diversion and without new taxes. All that is required is our determination to solve a problem which affects every person in Illinois — without regard to party or place of residence.

In that spirit, I submit to this General Assembly a three-phase program for improved transportation in our state:

(1) Approval of a $900 million bond issue to finance new highway construction, capital expenditures for mass transportation, and development of aviation facilities.

(2) Creation of a state Department of Transportation to administer this financing and to unify the execution of all vital transportation responsibilities of the state.

(3) Development of a detailed program to design a regional public transportation agency for the six-county area in northeastern Illinois.

I. The Transportation Bond Issue

No solution of the transportation problem is possible without a guarantee of the necessary financing.

It has long been an accepted doctrine of government policy that public monies must be used to facilitate automobile transportation. More recently, public policy has been broadened to permit the use of taxes to underwrite improvements in other forms of transportation — and rightly so.

It is in that spirit that I propose to use the credit and revenues of the state of Illinois to provide $900 million for a four-year program of capital improvements divided as follows:

(1) $600 million for construction of a supplemental freeway system.

(2) $100 million for planning, improving and developing airports, both existing and new.

(3) $200 million for capital improvements for mass transportation facilities.

Motor fuel taxes — *and nothing else* — will be used to retire the bonds for the road program. Present motor fuel tax revenues *can* finance the program without any increases in the tax rate or in license fee schedules.

The other bonds can be retired by appropriations from the General Revenue Fund—again without any increases in the present tax structure.

For the purpose of explaining this proposal, it will be helpful to consider each of the three component parts in some detail.

Supplemental Freeways

Under the Immediate Action Program of the past two years, more than 2,000 miles of narrow state highways have been improved, and 1,000 miles are under reconstruction. Since announcement of the program in August of 1969, we have awarded contracts totaling $240 million. An additional $220 million in contracts are planned for 1971 — all to rebuild our existing highways.

The interstate system in Illinois is also well on its way toward completion. The 1971 construction program contains projects for completing 150 miles of this system and resurfacing 28 miles. As of today, 1,292 miles of the 1,724-mile system are open to traffic. While we near completion of the interstate system, however, the need for a system supplemental to our two-lane state highways and our multi-lane interstate freeways becomes increasingly critical.

Planning studies since the mid-60s have stated the need for a system of supplemental freeways. In its comprehensive report of 1969, the Highway Study Commission proposed immediate action for this purpose. The commission pointed out that a supplemental freeway system is necessary to serve the many growing cities throughout Illinois which are not now served by the interstate system.

Four-lane connections are needed between such metropolitan centers as Rock Island-Moline and the Alton-East St. Louis areas; between Peoria and Springfield; and between Rockford, Bloomington and Decatur. Quincy and western Illinois are virtually isolated from multi-lane modern highways.

Only a supplemental freeway system can provide mobility for Illinois travelers and increase the economic base on which all of Illinois can continue to grow.

The system, as proposed, will be constructed primarily in rural areas and will not disrupt urban environments. In order to provide safety and mobility, the system will follow the design standards of our present interstate routes — the safest highway system that can be designed today.

This supplemental freeway mileage would make up 1,950 miles of the total of 130,000 miles of public roads in the state. Although this is only 2 per cent of the highway mileage in Illinois, the supplemental freeways can be expected to carry 20 per cent of the total highway traffic.

Allocation of the $600 million from the Transportation Bond Issue would finance construction of Phase I of the total supplemental freeway system recommended by the Highway Study Commission. Over a four-year period, this should enable us to move well towards completion of the 10-year program outlined two years ago. This investment will pay exceptional dividends in the saving of travel time and vehicle operating costs it will make possible. Most importantly, it will save us hundreds of lives which otherwise would be lost each year in needless and preventable traffic accidents.

Airport Improvements

Airports which will take us into the 21st Century are our goal. Illinois ranks fourth in the nation in its number of aircraft and fliers, private and professional. All indications point to further aviation development in the state. Increased traffic and the wide use of heavier aircraft are already severely straining air facilities in the state. This is particularly so for general aviation facilities, which handle a large percentage of business aircraft.

In this situation, I am proposing that $100 million of the bond issue be devoted to airports. This would provide for improvement and maintenance of existing facilities, and also substantial development of new ones in all areas of the state.

The potential of this mode of transportation is well established. But we must assure that it is available to communities throughout Illinois to the limits of our technological capability.

Mass Transportation

The most critical aspect of our transportation problem lies in the area of mass transportation — rapid transit, railroad, and bus. The mass transportation industry of Illinois has estimated that it will need at least $450 million through 1975 for capital expenditures alone to maintain existing standards of operation.

With matching funds from the federal government that have been made available under the Urban Mass Transportation Act of 1970, the $200 million of the Illinois bond issue funds that I propose for mass transportation will be sufficient — when matched by local money — not only to maintain but also to renew and to improve the existing system substantially.

The need for this assistance is pressing and immediate, and it is far more than a Chicago problem. Mass transit systems elsewhere in the state are in difficulties at least as dire as the Chicago Transit

Authority. During the past year, three-fourths of the 31 transit systems in downstate cities and Chicago suburbs were operating at a deficit. Almost one-half were receiving some type of local subsidy.

A recent federally-assisted technical study of the transit area which includes the south side of Chicago, the south suburbs and the Gary area made the following findings:

(1) That most of the equipment and other facilities of the carriers are in need of immediate replacement and modernization.

(2) That revenues (or fare box collections) are no longer sufficient to permit the public transportation carriers to finance acquisitions of new equipment and other improvements.

The findings of this thorough and detailed study apply throughout the state.

The need for capital improvements for mass transportation is painfully obvious to all. Although our commuter railroad services are for the most part the finest in the nation, many of the suburban railroads are still operating equipment of pre-war vintage. For all the lines, extensive rehabilitation and repair are necessary for track, station and parking facilities.

Funds must be provided to make these improvements. Otherwise, railroads here will fall into the state of functional paralysis which is being increasingly suffered in the eastern states. In southeastern Illinois, for example, Granite City, Belleville and East St. Louis are at the point of total helplessness to prevent the downward plunge of their public transportation systems into bankruptcy.

Suburban and downstate bus companies are experiencing similar problems with capital improvements. Many of the buses now being operated in such areas as Bloomington-Normal, Quincy, Decatur, Rock Island, and Joliet are well beyond their economic lives. Consequently, operating costs have risen and patronage has declined. These systems *must* be aided before they collapse.

Other cities and towns are already taking important strides in providing improved, modern transportation for their residents. In Springfield, Peoria, and Champaign-Urbana, mass transit districts have been formed to provide assistance for ailing transit systems. These steps are commendable but add a further burden to the already heavy property tax. State initiative will ease that burden by providing a share of the capital costs.

In recognition of this need, I am recommending today a program devoted to capital improvement rather than to operating subsidies. There are, however, additional compelling reasons for this feature of the program. Among them are:

(1) Capital grants will provide maximum leverage for federal funds recently made available. One local dollar can be expected to bring five additional state and federal dollars into the program.

(2) Capital investment will substantially reduce operating costs because new equipment is cheaper to maintain and operate.

(3) This program should be adequate to give substantial assistance to the CTA, the major portion of whose deficit is not in operations but in capital accounts.

(4) Capital investment will not interfere with the public policy which calls for putting the responsibility for subsidizing operating deficits in the hands of informed local communities close to the operating problem. At this level, sound decisions are most likely to be made regarding the need for service and the degree to which it should be subsidized. Someone sitting in Springfield is in little better position to decide whether a bus route should go down St. Vincent avenue in LaSalle, Illinois, than someone at the federal level in Washington, D. C. These kinds of decisions are best made locally by the persons observing and riding the system.

(5) Finally, investment in capital is the kind of conservative investment appropriate for receipts from bond financing. Projects can be carefully reviewed before grants are approved, without the need for artificial and self-defeating allocation formulas. Limiting the state program to capital expenditures will put an effective ceiling on the state's fiscal involvement and prevent the state from being drawn into the fiscal morass of financing constantly increasing operating deficits—a situation in which other states now find themselves.

The mass transportation program that I am proposing today is, in important respects, different from the emergency program considered by the General Assembly in its special session last year. This is a broadly-conceived and long-term program, which will aid rapid transit, railroads and bus lines throughout the state, rather than an emergency one-year operating subsidy which would have been largely consumed by a single transit system.

Payment of the Bonds

The bond financing provisions of the new constitution have opened for us new opportunities to make sound investments such as this which will more than pay for themselves in the future.

To finance mass transportation assistance last year, we would have been constrained to use motor fuel tax money, to cut back on other essential programs financed from the General Revenue Fund, or to raise the income tax.

This year, we are able to proceed immediately — with assistance for mass transportation and airports financed out of general revenues — because we are able to defer the major costs of present improvements.

Let me repeat: This year, because of the passage of the new constitution, we *need not divert* essential revenues from our road program.

What is more, we need not increase gas taxes to pay for that portion of the program properly attributable to this funding source. The revenues from taxes at their present rates will be sufficient to get this program under way.

This is sound financing and a prudent use of bond proceeds. It is sound because the money will be used for true, basic long-term capital benefits, for building a state transportation structure for the future, for avoiding higher costs due to rising construction and land prices, and for avoiding the economic, social, environmental and human costs of delay and deterioration.

Finally, it is sound in the context of our position in comparison with other states. In the last year for which comparative figures are available, state debt — including that of the public authorities in Illinois — was $118 per capita compared with a United States average of $196 per capita. Illinois state debt was only 51 per cent of the average for the other major industrial states — and I mean specifically California, Michigan, New York, Ohio, Pennsylvania, and Texas. Even after the issuance of the pollution and transportation bonds, Illinois will still rank far below the average of the other major urban states.

This, then, will be responsible financing. It will be essentially pay-as-you-go, with no principal deferral and a 25-year payment schedule. Additionally, because the program will be phased and only four years in duration, it will permit the General Assembly to evaluate the need for its continuation on a periodic basis.

II. The Department of Transportation

Without systematic planning and administration, even the most massive infusions of new capital will have minimal impact on the problem facing us. Illinois has long suffered from too many fragmented agencies dealing with transportation problems.

For a program of the magnitude I am proposing today, it is imperative that we do better than we have in the past. Accordingly, I am asking the General Assembly to give favorable and immediate consideration to the creation of a state Department of Transportation.

Transportation, notwithstanding its several different modes, is an interdependent system which must be coordinated and balanced. The most essential function of the state Department of Transportation will be to see that the allocation of public resources and the setting of governmental policy lead to a balanced and coordinated transportation system in which each element of the system can perform its role most efficiently. This can best be achieved by assigning the following responsibilities to the new department:

(1) Statewide transportation planning.
(2) Allocation of public funds for transportation purposes.
(3) Budgetary responsibility for transportation activities.
(4) Evaluation of social and environmental effects of construction projects.
(5) Development of a modern statewide transportation network to move people and goods swiftly, safely, and efficiently.

In proposing the establishment of a Department of Transportation, I accept the expert recommendations of the Highway Study Commission. And the proposal continues the reorganization of the executive branch of state government which was put before the 76th session of the Illinois General Assembly and approved in part during that session.

It will be the responsibility of this 77th session of the General Assembly to define the responsibilities of the new Department of Transportation in relation to other departments and offices.

One important point should be made: The present Department of Aeronautics will continue its present role in the supervision of existing aviation activities, including its regulatory relation with private pilots and local airport authorities.

III. A Regional Public Transportation Agency for the Six-County Area of Northeastern Illinois

Among the first priorities of the new Department of Transportation will be the development of a detailed program for the creation of a six-county regional public transportation agency in northeastern Illinois. Because of the immediacy of the need for such an agency, I have already ordered that work in progress on this project be centralized in a new Office of Mass Transportation in the Department of Local Government Affairs.

Further, I have requested that the Illinois Commerce Commission strengthen its analysis and supervision of the regulatory aspects of the mass transportation situation in the area. There is a clear need for better regulatory coordination of private and municipal services.

I have taken these steps, and intend to take more, because in principle I strongly support the creation of such a new regional transportation authority at the earliest feasible date.

In my judgment, detailed implementation planning and final grant allocations in an area as large and complex as the six-county region of northeastern Illinois can best be made on a limited geographical basis by an agency specifically entrusted with these responsibilities. I have no doubt that an agency with powers to coordinate routes and fares for all private and public carriers in the region would be able substantially to improve service and reduce costs, particularly if it has appropriate representation from both public and private agencies.

Just as importantly, such an agency would be able to make fund allocations systematically and wisely, without giving undue competitive advantage to one applicant for funds at the expense of another—to the potential long-term detriment of the system as a whole.

There have been numerous proposals for a regional authority in the metropolitan area, and they persuasively set forth other benefits which would result from a regional transportation agency. Nonetheless, there remain two great questions to which no proposal has yet addressed itself successfully in detail. These are the twin and interrelated problems of cost and control.

The question of cost is of particular significance in considering the desirability of an operating authority. Unless deficits can somehow —miraculously—be eliminated by the transfer of mass transportation operations to a public agency, someone must foot the bill. Experiences both in this state and in others show little promise that public ownership and control can insure more efficient transit operations than long-experienced private companies. This is particularly true when political representatives are given a decisive role in establishing routes and fares.

Consequently, it is my conviction that a far more detailed study of the economics of a regional authority is required before we can move responsibly in the direction of an operating agency.

I have given instructions that the first orders of business for the new state Office of Mass Transportation be as follows: First, to work toward the creation of a regional coordinating agency for northeastern

Illinois public transportation at the earliest feasible date, and second, to undertake a detailed study of the economics of a possible operating authority.

For the near-term future, we are prepared to discuss all proposals intended to coordinate mass transportation in the metropolitan Chicago region. If the interested persons and agencies of that region can get together, I am confident we can make real progress towards a coordinating agency.

Conclusion

I have discussed with you the details of a problem which affects every section of Illinois and every person in this state. I have proposed solutions which are not easy — but there are no easy solutions to difficult problems.

The key to the success of this program lies in the use of sound bond financing. American business has grown and prospered because men had the foresight to borrow against future revenues to finance the programs necessary for growth.

For 100 years, we in Illinois were unable to employ these successful business practices, because of our antiquated constitution. This situation no longer prevails.

We now have the power to build a better Illinois — a more accessible Illinois, a more prosperous Illinois — and to accomplish this without one cent of new taxes.

CONSERVATION

FRIDAY, FEBRUARY 26, 1971

> *Nick slipped off his pack and lay down in the shade. He lay on his back and looked up into the pine trees. His neck and back and the small of his back rested as he stretched. The earth felt good against his back. He looked up at the sky, through the branches, and then shut his eyes. He opened them and looked up again. There was a wind high up in the branches. He shut his eyes again and went to sleep.*
>
> *Hemingway, Big Two-Hearted River*

Nick Adams knew the feel of an outdoor moment. For him it was easy. He put on his pack and he walked and he was there.

For us, it is increasingly difficult. Our open spaces are too few and too far away. Their value is too often forgotten—even as we automate and computerize, adding hours of leisure to each week.

Two years ago, I pledged to protect our open spaces and to provide land for our leisure. Much has been accomplished. We are no longer quitclaiming our open spaces by inaction and neglect. But much remains to be done.

It is, therefore, with urgency and some pride that I present to the General Assembly this message on the Administration's conservation program.

Only the state can provide the parks and open spaces our people need as we become increasingly urbanized. The counties and the cities are limited by geography. The federal government is limited to sites of national or historic interest.

For too long in Illinois, however, the state's critical role was neglected. The state failed to keep pace with the increasing needs and it failed to maintain existing parks. Almost at random, roads were built, rivers were dammed and streams were channelized. The public interest in open space was not protected.

Even if a governor had the fiscal means and wanted to do something for the state's park system, the only information he had was occasional and limited. He had no professional assessment of the needs and the resources necessary to meet those needs. Parks were acquired by political accident, not by professional plan.

As a result, Illinois parks deteriorated both in quantity and in quality. While the population grew and became more urbanized, the parks grew smaller and more rural. For ten years, the parks acquired by Illinois were small parcels that would have made nice county parks. Lakes were built, and a few local sportsmen were able to fish closer to home. Only one major acquisition was completed, and that was a strip-mine in Southern Illinois that will be difficult to develop into a usable park.

Meanwhile, near the growing population centers, available open space was blotted out by concrete and lookalike homes. What few parks were available were neglected.

By 1969, Starved Rock State Park, one of the few state parks within 100 miles of the state's most populous area, had fallen into ruin. Roads, trails, and campsites were crumbling. The legendary rock — which commands the Illinois River and the meadow where Pere Marquette celebrated the first Mass in Illinois—had become almost inaccessible.

Our state, one of the nation's leaders in virtually every significant social and economic index, ranked dead last in the number of park acres per capita. Although we have about 5.6 per cent of the total population, we had only one-half of one per cent of the nation's outdoor recreation lands. While the nation as a whole devoted 12.2 per cent of its land to recreation, Illinois dedicated only 1.58 per cent.

Also contributing to the need for immediate action were the backward geography of the existing parks and the rapidly increasing cost of vacant land. What few parks we did have were unreachable. Six million Cook County residents had their choice of three parks—Illinois Beach, Chain O'Lakes, and McHenry Dam, with 3,435 acres—while 121,000 residents of six rural counties could choose from five parks with 3,763 acres.

The number of city and suburban residents was growing. Across the state, nearly 96 per cent of our population growth was being registered in our urban areas, and more than 80 per cent of our people lived in these areas. More of their time was devoted to leisure and recreation. When compared with national averages, Illinois' urban residents were younger, had greater disposable income, and worked in occupations which permitted more leisure.

While the leisure hours grew, the cost of a place to enjoy them was soaring. Any open space is a prize to be protected. But in our urban areas, the protection becomes more difficult. Increasing at an annual rate of seven per cent, the value of land now doubles every ten years. In most areas, the pace is even quicker. Farmland on the urban fringe can be expected to increase in value by 10 to 15 per cent each year, pushing up the cost of park acquisition 100 per cent in only seven years.

Faced with these facts, our job was clear. We undertook the most aggressive park land acquisition program in the nation. We multiplied our efforts to develop and maintain our parks. And we professionalized the management of Illinois' natural resources.

LAND ACQUISITION

In the first full fiscal year of my administration, we spent $14.2 million for park acquisition. In the current year we will spend $18.1 million for parks. In the next budget, we will present another request for more than $20 million to continue our acquisition program.

These investments in the environment constitute the most aggressive land acquisition program ever undertaken in Illinois, or in any other state. As of today, we have added 41,456 acres to the state's park system, an increase of more than 35 per cent, in two years. The $20 million in the 1972 budget will allow acquisition of another 17,000 acres.

Through this program we are bringing parks closer to the people. We are expanding recreational opportunities, and protecting important ecological phenomena.

Until we began, the areas with the highest population had the fewest parks. A four-sided area stretching from Chicago to Danville to Springfield to Rockford had more than 80 per cent of the population, but less than 22 per cent of the park acreage. Of the 41,000 acres we have acquired, more than half are within a two-hour drive of metropolitan Chicago.

To relieve the congestion that was destroying Starved Rock State Park, we purchased 2,200 nearby acres along the Illinois River. This additional acreage provides a total of 8,000 acres for camping, hiking and boating. The acquisition will further protect the scenic beauty of the Illinois River.

Lake DePue in Bureau County will provide excellent boating, hunting and fishing immediately adjacent to Interstate 80 and close to several population centers.

The acquisition of the Silver Springs State Park, a 1,314-acre tract in Kendall County, will also add to the open space in Northern Illinois. The existing facilities in this beautiful area along the lower Fox allowed us to open the park for daytime use and nature study without extensive development. This park has already become an environmental classroom for schoolchildren.

We are nearly doubling the state-owned shoreline of Lake Michigan, adding 2.7 more miles of precious lakefront at Illinois Beach State Park, the state's most heavily used park. We now have six miles of beach and dunes along the lakeshore there. Another 248 acres will be added to Illinois Beach when the National Guard vacates Camp Logan.

At Chain O'Lakes State Park, we are adding 2,000 acres to the existing park and conservation area, increasing the total available land up to 6,700 acres, including the state's largest camping facility. These new acres will add new fishing ponds and will protect against overcrowding this popular park.

We have also protected important ecological phenomena from the bulldozer. In 1969, the only virgin prairie left in the Midwest was in danger of becoming an industrial park. Now it is a state park. The acquisition of Goose Lake Prairie will give succeeding generations a look at the grassy swales that once prevailed in many areas. In the coming months, we will be acquiring additional land around the prairie to accommodate the many visitors expected at this remarkable site.

In the Castle Rock area, picturesque formations on the upper Rock River were similarly endangered. These also were acquired. Although immediate development is not necessary, inaction would have made subsequent development impossible.

Near McHenry, we are acquiring Lake Defiance, an unspoiled 90-acre glacial lake containing a rare leatherleaf bog and several natural marshes which provide excellent wildlife habitat and spawning ground for northern pike. We also acquired enough land around the Volo Bog to protect the state's only mature tamarack forest, as well as the unique Wilson and Brandenburg bogs.

With the help of the special concern of this Assembly and the federal government, most of the Edgewater site in Chicago was saved from the developers. This is the most significant state contribution in history to open space in the city itself.

Other acquisitions have made small existing parcels into viable parks or added to our inventory for future development. In McLean County we added 843 acres to a county conservation area to allow development as a modern, multi-purpose state park.

In Calhoun County, we acquired 1,231 acres of frontage on the Mississippi River. The recent acquisition of additional property at nearby Pere Marquette State Park makes immediate development of this new land unnecessary, but it is an excellent investment in the future, near the growing population of the Metro East area. After years of public demand, Horseshoe Lake in the heart of the Madison-St. Clair population center is finally being acquired and developed.

In Southern Illinois, we are making a special effort to realize the potential of the great reservoirs of Carlyle, Rend Lake and Shelbyville. Development of parks and recreation facilities along their shores will provide access which multiplies the opportunity to explore and enjoy these great, unfolding lakes.

These examples demonstrate the kind of investments we are making to expand recreational opportunities for the people of Illinois. We have added more park land in the last two years than the state acquired in the previous 12 years. At a time when our people see their great natural environment deteriorating around them, there is no more far-sighted investment we can make.

DEVELOPMENT AND PLANNING

Already we have opened seven new state parks. Next month, we will request an appropriation that will allow us to open six more.

At the same time, we have been expanding and rebuilding the facilities at existing parks. Long neglect made immediate action essential to preserve and restore our existing properties.

In undertaking these projects we have employed planning that will produce maximum benefit to the people of Illinois. Development alternatives are now evaluated by a planning staff trained to obtain a maximum recreation return on the investment in land.

Traditionally, the plans developed by the state have too often been based on the needs of the people *managing* the parks rather than on the needs of those *using* the parks. We will not permit that to happen any more in Illinois. I have ordered the planning staff in the Department of Conservation to anticipate public recreation needs and to plan our development program to meet them.

The University of Illinois is now developing for the department a comprehensive, long-range plan for acquisition and development of state parks. Detailed data on park use, land prices and population density are being gathered and analyzed. From this base we will be able to make the decisions that will protect our open spaces for generations to come.

The most immediate needs are already being met. At Starved Rock, for example, the roads, trails, picnic areas and camping facilities will be rebuilt by the time the summer season opens.

In other parks, more than 2,800 new hard-surface camping pads have been installed to meet the increasing demands of campers. New roads have been built at 18 state parks and conservation areas. Sewage treatment plants have been completed at two major parks, and another five are under design. Modern toilet facilities are under construction in 18 parks.

More far-reaching developments are also proceeding. A new dam was recently completed at Morrison-Rockwood State Park to provide another fishing lake, and another dam is under construction at Sam Parr State Park.

Early development at the massive Carlyle Reservoir is already under way, including camping, boating and picnic facilities. Similar developemnt will begin this spring at two other reservoir sites — Shelbyville and Rend Lake. We have also added more than 4,000 acres of wildlife habitat in the waterfall areas below various dams.

In the coming year, new facilities will be installed at seven new parks, including a new dam and lake in DeKalb County, an interpretive education building at Goose Lake Prairie, and new campgrounds and picnic facilities at Silver Springs. At ten existing parks, we will repair roads that were built in the 1930s and which are so impassable during spring thaws that the parks must be closed. Campground improvements will be installed at six parks. Development will continue at the three large federal reservoirs, including boating and campground facilities.

PROFESSIONAL STAFFING

Additional acres and vigorous plans are not enough. To complete the job of protecting our open spaces, we also need a dedicated, professional staff. In two years, we have established new positions and new standards which will guarantee protection for our natural resources.

Our superintendent of parks is a professional park administrator. He has hired 11 district managers, all with bachelor of science degrees in forestry, landscape architecture or an allied field. All have at least three years experience in park management. New standards have also been established for park rangers, the men in charge of each park's operations.

Our planning staff is equally qualified. Its dedication is to the future, and its talent will allow us to obtain maximum benefit for our land acquisition dollar.

LEGISLATION

From this Assembly we will request enactment of the appropriations necessary to carry out this program. In addition, I propose the following legislation to complement the state's acquisition efforts.

1. Preservation of scenic and recreational areas

We cannot preserve all of our important open areas by a state acquisition program. The job is too big; there are not enough funds to do it all at once.

But we can act now to prevent exploitation of remaining scenic and recreational areas of Illinois. I propose that we start this year by enacting a Scenic and Recreational Preserves Act, in which this Assembly designates certain scenic and recreational river valleys and prohibits further development damaging their present qualities. Other states have done this successfully, and recent court decisions have upheld this exercise of the police power for the benefit of future generations.

The designation of extensive areas for preservation requires the sort of policy determination that should be made by this Legislature, as contemplated by the law I propose. The act will also vest the Department of Conservation with authority to administer the restrictions on development, under standards set by the Legislature.

On the advice of the Department of Conservation, I recommend that we begin with the still-scenic reaches of the Fox, Embarass, Apple, Rock, Kankakee, Mackinaw, Lusk and Spoon rivers. I also recommend that the historic Illinois and Michigan Canal be preserved as a unique resource for hiking, boating and bicycling.

2. Authority to take scenic easements.

Preservation of scenic and historical qualities and prohibition of the development of open lands can be accomplished in many cases by taking easements which control less than full, fee-simple ownership of the land.

The extent of the state's authority to acquire such easements is presently unclear. This authority should be clarified and expanded, and the Department of Conservation should be given power to take easements by condemnation, just as it has power of condemnation to take fee ownership.

3. Stronger strip mine reclamation.

The state's and the public's concern with strip mining is natural and compelling. We are increasingly aware of the extensive acreage in Illinois that is scarred with unnatural ridges and denuded slopes—

a bleak and barren land. Trees cut. Shrubs and grass stripped. Topsoil scraped away. Flooding aggravated by the run-off. Mine acids which sour streams and ground waters.

It is true that most of this unsightly landscape was exploited and despoiled before Illinois enacted legislation to require reclamation. But in our determination to improve the environment and to insist on better care and use of the land, we must reexamine and improve our program of regulation to secure maximum practical enhancement of reclaimed areas for agriculture, forestry, wildlife habitat and recreation.

If we do not arrive at an improved program of strip mine regulation and reclamation—practical and enforceable—then we would face the alternative of banning surface mining altogether—an alternative being pressed seriously in other states.

I am therefore proposing strip mine reforms. They will ensure that stripped land is returned to productive use. New legislation would eliminate forever creation of incurable scars on our land by providing power to ban strip mining entirely in areas where satisfactory reclamation is impossible. It would also toughen land reclamation standards, requiring restoration of natural topography and retrieval of original value.

* * *

We can all share a measure of pride in what we have accomplished in the past two years. We turned from neglect to action—action that someday will help our children feel the thrill and know the renewal that Nick Adams found.

When we take the journey to nature, each of us, with Thoreau, may "step to the music which he hears, however measured or far away." But to preserve that opportunity for individual self-renewal through nature, we must join together and act now.

I hope you will join with me to sustain the momentum we have started and to achieve the new initiatives which I propose.

ELEMENTARY AND SECONDARY EDUCATION

TUESDAY, MARCH 2, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the 77th Illinois General Assembly:

Education in Illinois is a large and growing business.

It is, at once, the most vital and the most expensive activity in which we are engaged at any level of government in our state.

In classrooms across Illinois, some 2.1 million youngsters—nearly one-fifth of our total population—attend public elementary and secondary schools. More than 100,000 teachers are engaged in teaching them.

This year, our public schools will spend an average of $1,140 for every child in school. Total spending for the school year is expected to be in excess of $2.4 billion, of which the state will provide about 40 per cent.

And these dollar commitments represent a significant advance over the situation we confronted two short years ago. When this administration assumed office, Illinois depended more heavily than nearly any other state on its localities for the revenues to finance public education. Some 62 per cent of all taxes levied at the local level in Illinois were spent on elementary and secondary education, and yet even this huge commitment was insufficient to meet the increasing costs of the school system as well as cope with the spiraling demands on government in other fields.

Less than 30 per cent of the total Illinois educational outlay of $1.9 billion was funded by the state, and the per-pupil spending averaged $900.

We have come a long way since then. Per-pupil expenditures are up 26 per cent, and total outlays have increased by $500 million. The state's share of the educational burden has increased by more than one-third, with two new state dollars matching every additional dollar of local revenue raised. State appropriations from the general fund to elementary and secondary education have increased 73 per cent.

This significant progress is a direct outgrowth of the far-sighted programs which I have recommended, and which you have enacted, during the past two years. They reflect the top priority which we gave to education in the first two budgets in this administration, a priority which remains undiminished.

— Total two-year appropriations of $1.7 billion from general state funds, which financed a variety of educational reforms.

— An increase in the foundation level from $400 to $520, plus an eight per cent add-on.

— More equitable qualifying rates and a higher weighting factor applied to *all* secondary students.

— New programs of assistance for free school lunches and breakfasts, and for transportation.

Of course, not all of the programs which I recommended to you were adopted, most notably my proposal to provide some form of assistance for our hard-pressed private and parochial school system.

Another of my recommendations which failed of enactment was my plan to utilize average daily enrollment (ADM), instead of attendance, as the basis for distributing state foundation level aid and helping the troubled urban school districts.

But the urban aid program which we developed in its stead has proved to be an even more reliable tool for aiming the dollars at the most significant problems and for encouraging sound school management at the district level.

State aid to 24 large city districts has increased dramatically under the ægis of this program. The chief beneficiary has been the Chicago School District, which is receiving $18 million in urban assistance this year. That sum has helped push Chicago's total of state school aid from $86 million to $176 million in two years, an increase of 104 per cent.

Many downstate cities have fared nearly as well. State aid to Springfield schools is up 93 per cent; Rockford, 119 per cent; Peoria, 115 per cent; Alton, 81 per cent; Champaign, 89 per cent; and Decatur, 75 per cent.

In all the recommendations which we have made to you during the past two years, we have been guided by a determination to achieve certain overriding objectives:

(1) Local tax relief through state assumption of an increased share of school costs.

(2) Equalized educational opportunities through reduction of financial disparities among districts.

(3) Enhancement of educational quality through increased funding and program implementation.

The first objective has been achieved in large measure. The state's share of total school spending has gone from 29 up to 40 per cent. In fact, if state school aid had continued to grow during the past two years at the 1966-69 pace, the average homeowner's property tax bill in Illinois would be 12 per cent greater than it is today.

The second objective is far more elusive, even though it has been the stated aim of the state's school aid program for 35 years. With numerous refinements in the aid formula, we have made substantial progress, but the goal remains distant. There are still enormous differentials between districts, and between per-pupil expenditures.

It is in meeting the third objective that we have experienced the least progress. This apparent failure is due both to a lack of adequate measures of our accomplishment and to our general lack of precise understanding of the educational process.

We have, to be sure, provided greatly increased funding, and in so doing, have made possible a number of new programs we were previously unable to undertake.

Our level of support for vocational education has gone up 80 per cent, and pupil transportation and special education allocations have more than doubled. Illinois now leads the nation in feeding needy school children, serving more than 230,000 free lunches and 24,500 free breakfasts every day, thus helping to alleviate the problem of the hungry child who is unmotivated in the classroom. We are providing some type of vocational education to a half million students, and special education assistance to 160,000 youngsters. Through the School Building Commission, we are assisting in the construction of 33 schools in districts which have exhausted their local bonding capability.

Whatever our shortcomngs, this clearly constitutes a record of solid achievement. It must be continued.

1972 RECOMMENDATIONS

The budget for fiscal 1972 which I will submit to you this week will contain funds to increase school formula aid by $51 million over the 1971 spending level, to a total of $755 million.

The slowdown in revenue growth from the unusual expansion of the past two years severely restricts our opportunities for undertaking new initiatives. With a 5.5 per cent projected growth in income from state sources, substantially below the levels of 1970 and 1971, we will continue to make progress in funding education in Illinois, although at a necessarily slower rate than in the immediate past.

The seven per cent increase in educational funding for 1972 is low only in comparison to the rapid—and much-needed—increases of the past two years. When contrasted with the increases of many previous years, it can be seen in clearer perspective as a substantial—albeit more normal—commitment of our resources.

It will give local school districts the incentive to assure that the extraordinary increases of the past two years are carefully allocated to those purposes with the most hope of significantly improving the educational product in Illinois.

By the same token, we at the state level must take special care to assure that the limited resources available to us are allocated to the most urgent needs. In that spirit, I have identified three priority requirements in my recommendations to you:

First: We must aid those school districts which will lose revenues in 1972 because of added personal property tax exemptions. While the loss may run as high as 25 per cent in some districts, the state average is expected to be less than five per cent. For this purpose, I recommend the appropriation of $13 million.

Second: Last year's $28 million program of special aid for 24 urban districts must be given additional funding. The extraordinary financial burden of providing elementary and secondary education in Chicago and other large cities is not being fully met at the present level.

Urban school districts are faced with higher costs and fewer resources. Assessed valuation grows more slowly and taxes constitute a greater portion of personal income than in smaller cities. In addition, a higher percentage of a city's taxes must be spent on other essential services. Thus, schools in Chicago receive 42 per cent of local tax revenues, while downstate schools receive 68 per cent. At the same time, prices and wages are invariably higher in the large cities, while the need for compensatory and special education is also more acute.

I recommend the allocation of an additional $18 million for this vital purpose.

Third: We must provide additional funds to all the state's school districts to help cover the rising costs of education. Although the current foundation level formula has not sufficiently equalized educational opportunities in Illinois, it is nevertheless a significant improvement over the formula of two years ago and must be utilized again in 1972. I recommend the appropriation of $29 million over what the existing formula would provide.

The Problem of the Formula

On several occasions, I have expressed my dissatisfaction with the present formula for distributive school aid. Yet, I have discovered that any substantial improvement will be costly to implement. Projected revenues for 1972 simply will not permit that sort of improvement.

Two essential conditions must be met before we can expect any real improvement in the formula.

First: The archaic school district structure of Illinois must undergo sweeping reorganization. It is clear that the existence of 1,174 districts —many of them small and uneconomical, some large and unmanageable— contributes heavily to the gross disparities in the tax base among school districts.

Although the current formula encourages consolidation into unit districts, little progress has been made in this direction in recent years. Many dual districts are now calling for reconsideration of the premise that unit districts are preferable to separate elementary and secondary districts. That presumption, as many other educational theses we have accepted with little question, deserves to be reviewed. Whatever type of organization is ultimately adopted, it is obvious there is a size below which no district can operate effectively.

I make no claim to know the optimum size of a school district in Illinois—if, indeed, there is such a thing. But it is clear we must establish an organizational pattern more appropriate than the present balkanized structure before a new formula can be developed and implemented.

Second: The present patchwork of local property assessment practices must be standardized throughout the state. Wide differences in the procedures employed by nearly 1,500 elected township assessors impair the basic fairness of any formula based on assessed valuation. Although the state equalizes average assessment variations between counties, no account is presently taken of the wide differences between townships within a county.

Whatever the equalizing qualities of the school aid formula, any system based on unequalized assessments is bound to produce inequities in the level of state aid.

The Problem of Private Education

Once again, I recommend for your consideration a program of assistance for the non-public school children of Illinois.

These youngsters represent nearly 20 per cent of our total school population—young people with the same fundamental right to a quality education as any other citizen of our state. The schools they attend bear the expense of educating nearly 450,000 pupils. If financial deprivation forces them to close their doors, the demands on formula aid alone would increase by more than $250 million, an expense we can scarcely afford under present tight economic conditions.

A modest program of aid for the secular education of these youngsters would not only help avert such a financial calamity, but would also help maintain the diversity and freedom of choice so essential to quality education.

For this purpose, I recommend the appropriation of $29 million as a sound investment in our economic health and social stability.

* * *

For other Common School Fund claims and all other programs of categorical aid to elementary and secondary schools, my budget will reflect the recommendations of the Superintendent of Public Instruction.

School Construction

The 1972 state budget will recommend a 14 per cent increase in funding for the School Building Commission to enable it to proceed with some 30 new elementary and secondary school building projects for qualified districts in every part of Illinois.

In addition, I propose for the commission to assume management responsibility for about $20 million worth of construction on area secondary vocational education centers. The state's share of this program will total $10 million, to be funded through the Illinois Building Authority.

These recommendations are a measure of the confidence this administration places in the commission, which, in many ways, offers a model operation for state aid programs. In the past 13 years, the commission has made possible the building of about 120 high-quality new schools at costs ranging from 25 to 50 per cent less than comparable facilities in other districts.

Its outstanding record reflects a keen understanding of local needs, close cooperation with local boards, strict cost controls, sound management practices, and a single-minded devotion to an objective.

THE CHALLENGE OF QUALITY

The education budget which I have described reflects the commitment of a significant portion of the 5.5 per cent growth in revenues from state sources. In the face of a severe economic squeeze, it is important to absorb the lessons of the past two years and prepare for a new organizational structure under the 1970 state constitution.

The massive increases we have provided for state aid to local school districts during the past two years have taught us at least two valuable lessons.

First: No matter what level of aid we provide, there is no solid prospect of ever meeting the demands. There will always be districts which claim to need more, and which will accuse the state of doing too little for the cause of education.

When the foundation level stood at $400, many were calling for $550. With the level now at $562 (including the eight per cent add-on), we hear demands for $700 and even up to $1,000 per pupil. When this administration came into office, Chicago school officials said they needed an additional $54 million. Two years later, having doubled the level of state aid to Chicago schools, we now hear pleas for $57 million more.

While it would be impossible — and unwise — to ignore such demands, we must also recognize that they are a natural fact of our existence in these troubled times. What is more significant is the manner in which those demands relate to the other—and more important—of the lessons I call to your attention.

Second: There is little evidence that the massive new infusions of money—both from state and local sources—have produced any corresponding rise in the quality of the education received by our children.

Because the educational process itself remains an enigma, shrouded in mystery and resistant to precise definition and measurement, our tendency has been to equate increases in dollar support with increases in the quality of the product. Although this is undoubtedly true—*to a point*— it is clear that this confusion of cost with quality has helped make education the most expensive public service in the nation.

That we have surpassed that crucial point — at least in the public mind — is evident in the growing dissatisfaction with the educational system, manifested in such discouraging indices as the high rate of defeat for school bond referendums.

Admitting the harsh fact that dollars alone are not the answer is the first vital step on the road to improvement. The second must be a full commitment to far-reaching educational research and reform. We must determine what factors contribute to excellence in elementary and secondary education, in programs for exceptional children, for the culturally deprived and for vocational education. We must demonstrate a willingness to innovate while at the same time guarding against educational fads put forward in the name of progress.

In recent years, there has been an encouraging — though uncertain — movement in this direction, including here in Illinois.

I am encouraged, for example, by the inception of a 12-month school year at Romeoville this year. This innovative endeavor is a striking illustration of a common commitment by educators, parents, and civic leaders to more effective utilization of local resources.

Similarly, we must examine other measures which promise to alter our conventional perceptions of the educational process. One such measure which merits our study and consideration is a system of performance contracting, now being tested in many areas. Alternatives to the traditional notion of classroom schooling must be sought out and carefully examined for potential value.

We must seek means of assigning strict accountability, both to teachers whose justifiable concern for better pay and working conditions too often obscures their responsibility to those they teach, and to educational bureaucracies whose inherent inflexibility too often leads to waste of precious tax dollars. We must render our judgments on the basis of demonstrable performance rather than easy promises.

As one noted educator recently suggested, we must create the kind of accountability in which we decide firmly what it is we will do, do it, and then prove we did it.

As we chart our course for the 1970s, our eyes must remain fixed on *results*. The character of a quality education must be clearly defined. Our resources must be marshalled to achieve our common objectives. Evaluation and self-analysis must be an inherent part of our process at every step of the way.

To you who must make the ultimate decisions about our future, I offer few solid answers and many tough questions. Yet, even this is an important step toward the goals we seek, for we must first ask the right questions before we can arrive at the appropriate solutions. All too often in the past, we have been unwilling to pose those questions.

EXAMINING OUR GOALS

In addition to the recurring problems of educational organization and financing, the recent adoption of a new constitution requires us to reexamine our fundamental educational goals in Illinois.

That document reaffirms the responsibility of state government for providing free elementary and secondary education, and assigns the state the *primary* responsibility for educational financing. The implications of that assignment are enormous, and demand that we face squarely a range of questions concerning the alternative methods of raising the necessary revenues, the delegation of specific tasks and subsidiary responsibilities, and the character of the control we exercise.

As one step toward dealing with those questions, I propose the establishment of a Commission on Elementary and Secondary Education in the near future. Properly constituted, it could be an effective tool for charting a course of action for the 1970s.

Only broad representation among regions, interest groups and political parties will assure full utilization of the expertise available. In that spirit, I am pleased that the School Problems Commission and the Office of the Superintendent of Public Instruction have indicated their willingness to join in sponsorship of this new commission.

I would expect it to do far more than synthesize the work of others. It would be charged with evaluating our entire approach to education, and proposing solutions to the problems it identifies. The commission could take advantage of several national studies on school financing now underway at both the federal and state levels.

The commission should consider problems of administrative structure, the state's responsibility for innovation, the relationship of general aid to federal and categorical aid programs, and the state's role in construction of facilities.

Above all, it must meet head-on the question of quality, the vexing problem of improving the product of our schools.

Yet, however demanding and seemingly insoluble are the problems which this commission would face, it cannot — it *must* not — become an excuse for inaction now. The complex requirements of more functional facilities, of improved teaching techniques, of more effective utilization of our resources — as well as alternative methods of financing — demand our *immediate* attention and deepest concern.

* * *

I am not an expert on the goals or the proper strategy for our educational system. In the complex and troubled times in which we live, it is doubtful whether any man can make that claim.

In the plethora of unanswered questions we face, perhaps only one thing is clear. Education in our age is an elusive value, inextricably caught up in a complex set of interrelated variables involving human nature and a changing perception of ourselves and our society.

Its improvement cannot be reduced to simple test results or numbers. Rather, we must commit all our energies and the ideas to the education of whole men — young people prepared and dedicated to assuming command of a limitless future. We must create schools which, in the words of one scholar, are "genuinely concerned with gaiety and joy and individual growth and fulfillment without sacrificing concern for intellectual discipline and development."

Our financial resources are too dear, and the human stakes too high, to do any less for the future of Illinois.

MENTAL HEALTH

FRIDAY, MARCH 12, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the 77th Illinois General Assembly:

Today I am submitting the administration's request for appropriations to strengthen mental health services in Illinois.

This request, totaling $334.6 million, constitutes a major increase in funding to support and improve mental health care. This is therefore an appropriate occasion to provide you, through this special message, with a comprehensive review of the state's mental health program.

* * *

This year marks a turning point for mental health in Illinois. It is the end of the beginning and also a significant stride into the future.

A decade or more ago, in response to a nationwide trend, we began moving away from the concepts which had kept the practice of mental health in the dark ages.

We began abandoning the proposition — never explicit, but always lurking beneath the surface — that the mentally ill and retarded were best stored away at some distant institution, out of sight and presumably out of mind.

Faced with the spiraling human and financial costs of a system which had undergone little change in a century, we began to realize that prompt and locally-oriented intervention and treatment held more hope of a solution than the discredited techniques of the past.

Slowly, and with painstaking care, we have been moving toward a system which provides for treatment within a community context for more and more victims of mental illness and retardation.

This movement in Illinois received tremendous impetus from the successful general obligation bond issue referendum of 1960 and the decision to set aside a significant portion of its proceeds for the development of small regional facilities, or zone centers.

It is valuable to review the progress of the past two years, and the steps we have taken to gear up for the transition to a community-based system.

There have been some notable results from that effort, and I would like to review some of them because they are easily overlooked in our continuing concern for the tasks that remain.

First, and perhaps most dramatic of all, we have achieved significant reductions in the patient populations at those overcrowded, dehumanizing warehouses which for too long characterized the mental health effort in Illinois. And in so doing, we have transformed those institutions into more humane centers of decent care.

Since January of 1969, the resident population at our state mental health institutions has declined by more than 6,600 or some 22 per cent. And the trend is continuing.

An important factor in these reductions has been the successful implementation of our long-overdue program to enable geriatric patients to secure care in *licensed* nursing or sheltered care homes, or with their families, where they receive more personal attention.

This program is performed on a selective basis with each hospital screening and carefully considering the needs of each elderly patient on an individual basis. There has not been and there will not be indiscriminate mass placement or attempts to meet artificial deadlines.

The Department of Mental Health has a responsibility to its former inpatients. As its part of the total statewide program to improve the quality of care in nursing homes the Department has implemented a system which will ensure that the health care being provided for patients who have been relocated from a state mental health facility to a group care home is reviewed each month at the homes by a trained treatment team. More than 100 mental health community workers are currently engaged full-time in this effort and more staff will be allocated to this program during 1972. In view of the recent developments in the nursing home field we have ordered state departments to review all licensed homes both in Cook County and downstate to assure that everyone is getting proper care. If we find that there are not enough beds to care for these people properly, we will take steps to provide alternative facilities for care.

It is important to also recognize, however, that in addition to the patients who leave state mental health facilities through placement in group care homes, there are many individuals who leave state mental facilities independently. These patients entered a state institution voluntarily and may leave at any time unless the Department of Mental Health considers their mental condition to constitute a significant danger to themselves or others. As in the case of a person leaving a general hospital, the Department of Mental Health responsibility does not necessarily remain with this type of patient. Individuals who release themselves from treatment programs unfortunately may obtain inadequate living arrangements for themselves. The department has no legal basis for interfering in that selection, but steps must be taken to provide more adequate counseling and guidance to prevent this continuing tragedy.

At the other end of the system for the state, we have established a special Preliminary Admission Evaluation System to screen the elderly citizens who come to the State without knowledge of available options for extended care facilities with public financing assistance. This system will immediately refer such placements and prevent improper institutionalization for those whose mental processes are not significantly impaired.

Populations of our two large and overcrowded schools for the mentally retarded have also been reduced and continue to decrease. At Dixon, the population has gone down 26 per cent in the past two years, and will drop another 600 before the end of the coming fiscal year. We have reduced the population at Lincoln by 1,000 and plan to further decrease that figure by some 600 in the next year. Many of these reductions have been accomplished by transferring patients to newly organized units for the retarded in existing state operated hospitals.

We have made an extensive study of the future course of these geriatric and mentally retarded patient movements. The result of these studies has been the development of a comprehensive plan for patient movements among institutions and for patient outplacements in fiscal year 1972 and beyond.

This plan takes into consideration available space in state operated facilities, space in the private sector, the anticipated demand for services from the department, and the relationship between outplacements and transfers within the system. Foremost at all times is the criteria of what is the best type of care and treatment for the patient, not what is convenient for the system. Of course, the mere reduction in resident population means little for better mental health in Illinois unless it is accompanied by a concomitant increase in the level of the state's outpatient program.

We have moved on that front, too. In state-assisted community health programs, the number of active outpatient cases jumped from 24,000 in January 1969 to more than 46,000 a month ago, an increase of 91 per cent.

In our state-operated facilities, the number went from 15,600 to 22,200.

At the same time, we have reduced the average length of hospitalization for new admissions to state mental hospitals to five or six weeks.

Extremely significant is the extension of the federal medicaid program, which provides reimbursement for medical and surgical treatment of public aid recipients, to include inpatient and outpatient services for mental disorders.

The program — and it will be an expensive one — is one more step toward ending the status of mental health as the stepchild of the state's overall health effort.

It is consistent with our shift to community-oriented treatment, for it will facilitate the utilization of community resources for the treatment of the indigent mentally ill who too often are referred to state institutions as the simplest expedient.

And it represents another installment on our continuing effort to bring to the battle for better mental health the vast and relatively stable financial resources of the federal government.

Perhaps the most dramatic activities have been aimed at redirecting the mental retardation program toward the kind of community orientation which had been initiated years earlier in our attack on mental illness.

They are dramatic, in part, because of the speed with which they have developed. But they are also dramatic in substance, for they signal an end to the second-place status suffered by our retardation programs over the years.

Four years ago the General Assembly on its own initiative acted with foresight and authorized construction of seven centers for the mentally retarded in the Chicago area. This administration has begun construction on those centers. Their construction and future operation will be subject to management of the highest caliber.

The Ludeman center at Park Forest is already well under way, and architectural contracts have been awarded for similar centers in Tinley Park and Waukegan, West Chicago and Chicago North Side. Other sites in this $63 million program are now in the process of acquisition.

It would be difficult to exaggerate the significance of this massive capital program. It marks the end of years of outmoded concepts, red tape, and inexcusable delay in our commitment to providing high-quality treatment for mentally retarded children within the context of a local community.

The community placement concept has also been directed outside the state system to a growing network of privately-owned and operated facilities and programs.

The best example is our partnership with a private concern operating a former Aurora hotel as a 450-bed facility for the social and vocational rehabilitation of retarded adults capable of readjustment to society.

Remodeled to state specifications and staffed for a comprehensive treatment effort, the Aurora facility had an almost-overnight impact on our ability to reduce the populations at the overcrowded facilities in downstate Illinois.

We also stepped up the placement of the mentally retarded into programs at a number of under-utilized state hospitals. By the end of this fiscal year, we expect to have transferred 1,400 patients from Lincoln and Dixon to these various facilities, and we are planning to place another 1,200 during the coming year.

These efforts have culminated in a little-noticed development which must stand as a monumental achievement for those thousands of parents and families who have waited agonizing weeks and months for some response to their pleas for help.

In a word, it is this: we have at long last eliminated the emergency waiting list for mental retardation treatment in Illinois.

By utilizing the Illinois Pediatric Institute and the Murray Children's center for central evaluation and placement services, I can report to you that the backlog of frustration is gone.

Any parent in Illinois seeking help for a retarded child can get appropriate assistance and, if necessary, care and treatment today.

No longer will we throw away the irretrievable opportunity for early treatment and rehabilitation in an endless round of red tape and frustration.

In the present fiscal year, we are spending $3 million more than a year ago to promote the development of community retardation programs, including day care centers, sheltered workshops and adult residential facilities — all owned and operated by local groups and organizations.

During the past two years, this program has been increased to more than 100 such grants, and applications for expanded and new grants are now being processed. The thrust of this phase of our retardation effort is toward a well-developed network of facilities and programs capable of meeting our needs in this crucial area.

We have also issued new guidelines for the grant-in-aid programs which place a high priority on state financial assistance to those patients who represent the highest risk of institutionalization. Heading the list are mentally ill and retarded children, former mental hospital patients, and victims of drug abuse and alcoholism.

Over the long haul, one of the most significant developments of the past two years may prove to be our effort to bring a new sense of businesslike management to the entire mental health program.

Among the notable achievements on this front have been the development of a position inventory system and staffing plans for the institutions, work on a comprehensive cost accounting system, a job reclassification study of all employees scheduled for implementation next year, and more effective utilization of our zone offices.

By making possible more efficient allocation of our limited financial resources, the move toward improved management holds promise for upgrading the entire range of mental health efforts in Illinois.

* * *

This is an account — although by no means complete — of the activities which have occupied us during the first two years of this administration.

Carefully, and often with frustrating deliberation, we have been laying the groundwork for a total transition to a system founded on the proposition that community-oriented care for the mentally ill and retarded is most likely to produce lasting results.

Together, these activities constitute an important beginning — but it is only a beginning. Now it is time to build on these solid foundations, to make the decisive advance which so many have given so much to achieve.

I believe the appropriation bill which is being introduced today for the Department of Mental Health provides the blueprint for that advance.

The appropriation request for the Department of Mental Health totals $334.6 million, an 18.3 per cent increase over the appropriations for the current fiscal year.

This substantial increase consists of two components: a $35.2 million commitment to improved programs, and a $16.7 million transfer of funds from the Department of Public Aid to finance purchase care for former mental hospital patients eligible for public assistance.

It is a spare budget, trimmed of needless fat and reflective of our concern for sound management. But it also represents the depth of our commitment to a broad-based system of community-oriented care and treatment, and our impatience with the unproductive techniques of a generation ago.

It consists of four broad assaults on the problems of mental health, widely disparate in terms of dollar allocations, but each of them essential to mounting a total state effort.

The first of them and the largest financial commitment, is the range of activities related to mental illness. In this category, I am proposing an allocation of $200.3 million, or 15.4 per cent more than in fiscal 1971.

Most significant of our efforts in this area will be that for children and adolescents, where we are planning a dollar increase of 38 per cent.

With the help of a Task Force on Children's Services, composed of key professional employes, we are now developing a definitive policy — backed by a program plan — for the mental and behavioral disorders of children and adolescents. This effort should produce results similar to the objectives we have stated for mentally retarded youngsters.

We are planning a marked expansion of the innovative programs already under way at state hospitals and in the residential treatment units for children at all the zone centers. At the same time, we are working to alleviate the current shortage of direct and indirect services for children at the community level.

Detailed plans for the 225-bed Children's Village at the Chicago-Read Center are complete, and we intend to begin construction this summer.

In addition, expansion of medicaid to include mental disorders will permit the purchase of hospitalization and outpatient services for truly indigent youngsters in appropriate community facilities.

The program for children will be paralleled by directing increased resources toward prompt intervention and brief hospitalization for adults.

While expanding our commitment to supporting a wide range of community-based services, we are also augmenting the effort by activating unused wards at our seven zone centers. To deal with a specialized problem, we will establish the first treatment facility for the deaf mentally-ill in our history at the Illinois Psychiatric Institute during fiscal 1972.

The second major thrust in our effort is that for retardation programs and services. I will recommend a budget of $122.2 million, an increase of 20.2 per cent over the 1971 appropriation level.

These funds will provide for a continuation and a dramatic expansion of the efforts which I have already outlined in some detail here today.

The major capital outlay in this category will go for the construction of those long-awaited retardation centers, six of which will be under way by the end of fiscal 1971. The seventh, which will function as a central diagnostic and referral center, is already in the program planning stage.

As part of our effort to bring a community orientation to the mental retardation program, I will also recommend a day care grant program of $11.9 million, a 78 per cent increase over the funding level in the present fiscal year.

For our programs dealing with alcoholism — the third of the four major activity areas — I am recommending the allocation of $6.8 million, nearly 50 per cent above the level of the current fiscal year.

Included in that figure is a substantial increase in the level of grants to community-operated agencies, which are engaged in education, referral, counseling and, in some instances, the operation of halfway houses in conjunction with local mental health clinics for outpatient treatment.

The primary emphasis of our state-run alcoholism activities will be on intensive treatment and shortened period of hospitalization geared to complete rehabilitation.

We are reevaluating the costly program of purchase care of emergency hospitalization for this purpose, with an eye toward more fully utilizing the alcoholism units already in operation at our mental hospitals and zone centers.

Alcoholism is a problem of huge dimensions. We have estimated that 20 per cent of the adult admissions to state mental health facilities have a primary problem of alcoholism, and the figure is not getting smaller. It is in an effort to reverse this disturbing trend that we are making such a strong new commitment in this area.

Finally, the 1972 budget will call for a $5.3 million appropriation for programs in drug abuse, an increase of more than 75 per cent over 1971.

The fact that we are recommending the largest percentage hike in this program area is a sobering tribute to the incredible growth of the problem in recent years.

What we propose to do is expand the program now under way on a limited scale in Chicago to the downstate cities of Rockford, Peoria and East St. Louis, while providing treatment to twice as many drug addicts in the Chicago area.

With the number of addicts served in these programs going up at a geometric rate, the need for new outpatient facilities and community rehabilitation agencies is increasing more rapidly than our ability to meet the demand. Our goal is nothing less than the development of sufficient resources so that treatment will be immediately available to any narcotics addict seeking help in Illinois.

In addition to our outlays in these four program categories, there are several efforts under way which cut across categorical boundaries.

First, the 1972 budget calls for an increase in staffing levels to 24,200 by the end of the next fiscal year, a rise of 7 per cent over the present employment figure.

What is significant about the staffing plans is the manner in which the new employes will be allocated. The vast majority of new positions — as well as a significant number of present employes — will be committed to state-operated programs at the community level.

As for the institutions, many employes there are being shifted from support activities to direct patient care. We are attempting to cut down on administrative overhead while improving the quality of care for those patients assigned to our responsibility.

On the other side of the same coin, I am recommending an increase of 23 per cent over the 1971 appropriation levels for all outpatient services. By the end of the fiscal year, we expect to be serving more than 90,000 active outpatient cases in state-operated and assisted facilities, a whopping increase of some 125 per cent over the level of two years ago.

I am proposing a 60 per cent increase in funds for the overall community grant and purchase care program. This large increase includes the expansion of a wide range of treatment services, as well as community living facilities for adult retardates, and the extension of the medicaid program to include treatment of mental disorders for public aid recipients.

As an extension of the legislative concern for developing community responsibility for mental health programs exhibited in the current "708" and "553" programs, I urge the General Assembly to establish a mechanism for studying new opportunities for shifting more responsibility in this area to local levels of government. For too long mental health has been adjudged to be solely a state responsibility. A comprehensive study of new directions at the federal and state levels for developing greater local involvement in mental health programs should produce a plan of action that would take us well beyond the current "708" and "553" legislation. This Administration would welcome the opportunity to assist the Legislature in this important task.

This, then, is our commitment to mental health in Illinois for 1972.

It is a financial commitment of unprecedented proportions, the first $300 million-plus budget for mental health in Illinois history.

We must put our tax dollars on the line. We must vindicate the confidence of the thousands of Illinois citizens whose ideas and talents have made our state a leader in the nation. We must fulfill the hopes and needs of the hundreds of thousands of our citizens seeking help. Your support in the past has been instrumental in bringing us this far. Now, as we stand on the threshold of a new era in mental health — an era with the potential for results and rehabilitation never before dreamed possible — your opportunity has never been greater.

Together, we can marshal our energies and resources in a spirit of common purpose and make Illinois a better place for ourselves and for our children. Your support and active participation in this program will make this possible.

CORRECTIONS

WEDNESDAY, MARCH 17, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the 77th Illinois General Assembly:

Two years ago I asked for your support in reforming a fragmented, failing prison system.

Then, the problem of youth offenders was being handled by a Youth Commission. This was totally separated from the administration of adult correction facilities and penal institutions, and from the Parole and Pardon Board. These, as well as fire prevention, narcotics control, criminology, and the state highway police were under the jurisdiction of the Department of Public Safety.

With your support — support from both sides of the aisle — the Department of Corrections — encompassing both youth and adult correctional services — was created and elevated to the level of a code department with cabinet-level representation. This reorganization was designed to spearhead a shift from a limited, punitive corrections program to one dedicated to rehabilitation and based on community involvement in the rehabilitative process.

Now I would like to report to you what the concrete results of your cooperation have been, and outline my recommendations for continued progress for the future.

Improvements

1. The full measure of your support is shown by the increases in your appropriations for corrections since 1969, for real reform of the prison system requires money, as well as vision and resolve. The commitment we are making again in the new state budget — for the third straight year — is evidence of our determination to make Illinois the leader in rebuilding broken lives.

The budget for 1972 seeks $86.7 million for the department, an improvement of 60 per cent in two years. In addition, $4 million in resources will be made available through interagency transfers, providing a total program of $90 million.

This increase in funding has been vital to our efforts to reform corrections in Illinois. It has been vital to our program of community-based activity, to effective vocational training and counseling, to improved youth activities, to decent capital facilities — in short, vital to a real rehabilitation effort.

2. A strong central administrative staff has been established to administer the increased funding and to provide research, long-range planning, program analysis, policy evaluation, public information, and medical and professional services. All of these were designed for one overriding purpose — to speed the transition from the traditional, regimented, security-oriented prison system to one which stresses rehabilitation.

The staff for this function has increased by 270 per cent. The budget has increased from $1.5 million to $3.5 million, or 240 per cent. This does not include $1.6 million recently added for the operation of the Juvenile Probation Act.

Beginning last year, for the first time, each of you receives monthly, quarterly, and semi-annual reports from the Department's division of research and long-range planning.

This same information is available and distributed to law enforcement officials, the judiciary, and the interested public. Our successes, and our failures — insofar as they can be reflected in statistics — are now documented for the record.

We have developed a model Corrections Information System, parts of which are already operational. This is the first of its kind in the country, and five other states are already adopting the Illinois model. In full operation, this computerized system will be the most efficient and advanced criminal justice information network in the United States. It will make it possible for correctional administrators, the courts, and communities throughout Illinois to plan programs that will respond to real problems and current needs, not the problems and needs of years ago.

3. You passed legislation in 1969 to create a full-time Parole and Pardon Board. The old board with seven part-time members had proved inadequate to protect the public safety and to promote realistic rehabilitation.

Now, the board consists of nine full-time members. Already, the board's new docketing procedures enable men to be interviewed one month prior to their parole date so that they can participate in new pre-release programs. Improved institutional liaison and face-to-face interviews are now afforded to every adult and juvenile offender.

4. The department's community-based activity — a program essential to true rehabilitation — has been doubled and revitalized in its emphases. Aspects of both the citizen participation and employment placement functions have been combined to produce a five-part community-based program:

(1) Four halfway house community centers are now in operation and provide transitional treatment for parolees.

(2) A total of $1.2 million has been provided to fund six work release centers.

(3) Plans have been made for the opening of 10 group homes to provide transitional services for youth parolees.

(4) A special services unit has been established in Chicago to provide counseling and actual job placement assistance for more than 2,000 youth parolees.

(5) A new pre-release program has been established to provide counseling and orientation for adults preparing to re-enter society.

5. To help meet the problem of employment for prisoners after release, a trade advisory committee, composed of more than 30 outstanding individuals from industry, labor, institutions of higher education and state agencies, has been established and meets regularly. This committee includes board chairmen, presidents, and personnel managers of some of the largest corporations in Illinois. It includes the heads of influential labor unions, and men and women from advertising, banking, and communications. The trade advisory committee's mission is to help the department prepare offenders for the world of work and to open up employment opportunities for them when they are released.

6. The department has made many reforms which have a direct impact upon the inmates at our various institutions.

Permanent improvements have been given basic emphasis. Essentially, three new facilities, the Valley View Boys School, the Jubilee Lodge for Girls, and the Vienna adult prison, have all been completed during the last two years. All three facilities are geared toward minimum security with maximum emphasis on specialized vocational and educational treatment for individual offenders.

In addition, the new budget provides funds for planning and for architectural drawings to begin new projects which are estimated will cost more than $18.4 million. These projects include: $6 million for a new adult reception and diagnostic center at Joliet; $8 million for a youth reception and diagnostic center in Chicago; $1.5 million for a utility building at Joliet; and, $812,000 for a vocational and academic training building at Joliet. We will look to the Illinois Law Enforcement Commission for part of this funding under the federal Safe Streets Act.

Also, a total of $8.4 million is provided for the full construction costs of several capital improvement projects. This includes $1.4 million for new projects and $7 million for reappropriations to complete projects which were started during the last fiscal year. The $3 million provided for Illinois Building Authority rental authorizes continued work on projects which, when completed, will amount to $40 million in permanent improvements.

The results of such improvements are to reduce overcrowding and create more humane conditions for all inmates. For example, the population at the St. Charles Training School for Boys has been brought down from 611 in 1969 to 539 in 1970. Throughout the system, overcrowding has been reduced generally.

Besides better physical conditions, inmates now receive better professional care. Correctional counselors have been added to the permanent staff of the adult institutions during the last two years. There are more than 60 full-time counselors for the six adult facilities, representing budget costs of more than $500,000. This total is still below recommended standards, but represents a significant change from two years ago when there were no full-time correctional counselors in the adult system.

The psychiatric unit at Menard has been increased significantly to provide intensive therapy, counseling, recreation and training for more than 450 inmates suffering from mental impairments. For the first time, the budget for this psychiatric facility has been set up as a separate entity. A little more than $1 million has been provided.

Vocational and academic education has been strengthened significantly. A total of $4.1 million is provided for 1972. Elementary and secondary education costs total $650,000, while $2 million will be divided between vocational programs for nine forestry camps serving about 400 youths and the Pontiac and Vienna adult institutions serving about 2,000 adults.

7. Increased citizen participation and advice in the affairs of the Department of Corrections has been fostered by the establishment of advisory boards made up of persons with a proven interest in, and knowledge of, treatment programs for offenders.

We have appointed two distinguished seven-member advisory boards for the Juvenile Division and for the Adult Division. The members come from our great universities in Illinois, from business, and from the professions. In addition, the director has appointed a third advisory board especially acquainted with the problems of female offenders to advise the department concerning the State Reformatory for Women at Dwight.

Through these boards, the director and his staff have access to current, complete and expert information, and advice from our most interested citizenry.

8. These efforts appear to be showing results. In Illinois, recidivism rates — the ratio of parole violations to the number of men on parole — dropped significantly in 1970 for both the adult and youth divisions.

Let me emphasize that the rates are still high and that it is too early to make definitive statements about recidivism rates for offenders who have had access to our new programs and procedures. We would like follow-up data for 12 to 18 months subsequent to parole or conditional discharge — and we are getting this information now. But our preliminary figures and the trend lines are encouraging.

Adult recidivism dropped from 33.5 per cent in 1969 to 21.7 per cent last year. This is a new low, and it marks a decline of more than one-third during a period when the number of parolees increased from 2,217 in 1969 to 3,124 in 1970.

Among juveniles, the ratio dropped from 51.4 per cent in 1969 to 35.3 per cent in 1970. This is a decline of almost one-third.

Progress of this kind pays dividends in many ways — by reducing the burden on our correctional institutions, by reducing the cost of crime to the rest of society, and by returning productive men and women to the economy of Illinois.

Proposed Legislation

Our antiquated penal laws, geared to 19th century institutions and traditions, need to be rewritten. Part of this job was done by the legislation creating the Department of Corrections. Now, I ask your careful consideration of and support for a ten-part legislative program which will contribute further to improved rehabilitation.

1. I ask your support for legislation which would remove from the statutes certain mandatory licensing, registration, and certification prohibitions against ex-offenders. It makes no sense for a man to go through the process of industrial and vocational training, and then, when released, to be told that he cannot be certified or licensed to work at a trade or profession in Illinois *solely* because he was convicted of a felony. This is particularly true in those instances where there are serious manpower shortages and where the Department of Corrections, in cooperation with the Division of Vocational Rehabilitation and the Department of Labor, can in fact be a significant manpower training resource for this state.

Let me make it clear that the bills on this subject will not require that licensing agencies *must* issue licenses to ex-offenders. But the mandatory prohibitions will be removed so that each application can be judged on its merits.

2. I recommend an amendment to the Furlough Act which would give the director of the Department of Corrections authority to allow carefully screened inmates to visit their homes or families for a period of as long as three days as they near their release or parole dates. The proposed amendment would also allow the director to release inmates for a short period of time for the purpose of appearing before certain educational and professional groups interested in a better understanding of the causes of criminal behavior and the prevention of crime — and to talk to high school students about the dangers in the use of drugs.

Home visits can reduce substantially the trauma experienced upon sudden re-entry into society after a period of imprisonment. It will give the department's professional staff a better opportunity to prepare both the offender and his family for his return to the community, and to tie in pre-release plans more closely with family involvement.

3. I ask your approval of legislation which will permit the Department of Corrections to overhaul completely its academic and vocational educational system through the establishment of its own common school district.

The department's education programs have been substantially improved. In far too many cases, however, our present prison education programs — constrained as they are by outmoded laws, tradition and mythology — deny realistic opportunities for success to offenders seeking to improve themselves. We fail to provide, both quantitatively and qualitatively, the kinds of academic and vocational training offenders need to break out of the crime cycle.

Research has shown time and time again that there is a high correlation between the lack of education and crime. Of the inmates in the Illinois State Penitentiary system, nearly three-fourths have less than a 12th grade education; and only 400 of nearly 8,000 have had any educational experience beyond high school. Education is an urgent need if we are to reduce repeated crime by offenders.

Although efforts have been made to reform and improve education behind bars, the fact is that we need to scrap the present archaic system and develop a new one. The design that will be presented to you is workable and has been successful in one other state. It will permit us to concentrate on the special problems of education in a corrections system and to obtain maximum federal funding for our initiatives.

4. I ask you to adopt legislation ratifying two interstate compacts. One dealing with detainers has already been ratified by 28 states.

At the present time there is no means by which a prisoner may initiate proceedings to clear a detainer placed against him from another jurisdiction. This is equally true on an inter-state and federal-state basis. In addition, the only way the prosecuting official can secure for trial a person already imprisoned in another jurisdiction is by resort to a cumbersome special contract with the executive authority in the incarcerating state. Because of the difficulty and red tape involved in securing such contracts, they are little used. Ratification of the inter-state compact will make the clearing of detainers more expeditious, will provide the inmate a greater degree of knowledge of his own future, and will make it possible for the present authorities to provide better plans and programs for his treatment.

The other proposed act authorizes the state of Illinois to enter into contracts with other states and the federal government for the housing and treatment of prisoners in our facilities, as well as for the housing and treatment of Illinois inmates in the facilities of other states and the federal government. This compact has the support of the Council of State Governments and it recognizes that certain types of offenders can be treated more effectively and more economically on a regional basis.

One immediate benefit for Illinois would be that the Illinois State Reformatory for Women, which is underpopulated at present, could receive female offenders from other crowded jurisdictions and would be reimbursed for the treatment and housing we provide. This would result in a substantial saving to the taxpayers of Illinois, while at the same time providing for improved services to all inmates there.

5. I ask for subpoena and other enforcement powers for the Parole and Pardon Board.

Revocation of parole is a serious matter. By giving the Parole and Pardon Board subpoena power, you will enable the board to obtain the full truth and necessary evidence to make fair and correct decisions.

Violation of parole is also a serious matter. Under the present law, parolees who are arrested for another crime can be released on bail before their parole can be revoked and a warrant issued for their arrest — thus endangering public safety. This situation requires immediate remedial action.

6. I urge your approval of an amendment to the act providing compensation to families of law enforcement officers and firemen killed in the line of duty. This proposal would extend similar coverage to supervisors, wardens, superintendents and their assistants, guards and keepers, correctional officers, youth supervisors, parole agents, and correctional counselors in all facilities of the Department of Corrections.

Prison and training school employes are exposed to the same kinds of occupational hazards as other law enforcement officers and their families deserve the same benefits.

7. I recommend that you extend the period of conditional discharge from 90 days to 180 days. We have found that the rate of recidivism depends to a certain extent on the length of supervision in the community. In the past, too many offenders "maxed out" — reached the end of their imposed sentences — and returned directly to their communities without any community-based supervision and without any legal conditions. Last May, the department issued an order establishing a mandatory 90-day conditional release — the maximum allowed under present law. Conditional discharge gives the parole supervisors of the department legal control over an offender in the community, and gives the offender the availability of resources of state agencies. We feel that the 180-day period is safer and surer for all concerned.

8. I propose the establishment of an environmental control work force composed of offenders committed to the custody of the Adult Division of the Department of Corrections.

Under this proposal, the director of the Department of Corrections, in connection with the Departments of Conservation and Public Works, could assign selected inmates to work on a variety of conservation, anti-pollution, and ecology improvement projects for the benefit of the people of Illinois.

Let me make it clear that we are *not* proposing a chain gang system. Illinois is out of the Dark Ages in that respect, and we do not intend to go back. What we are proposing is another kind of treatment tool that can be used when it is consistent with the inmate's rehabilitation as determined by the department's professional staff.

We have already experimented with this type of program. For many years, our state parks have been improved and maintained through the efforts of the Juvenile Forestry Camps working with the Department of Conservation. And since November of last year, under the Illinois work release program, 10 men from the Stateville Penitentiary have been employed by the Department of Conservation to work in Starved Rock State Park.

9. I recommend passage of a bill authorizing the manufacture of Illinois motor vehicle license plates by inmates of the Department of Corrections' Adult Division.

The industries in our adult institutions are effective and practical training resources — offering still another option to men seeking to retool themselves for their return to free society. The proposed license plate industry will employ 150 men on jobs involving the use of modern, automated equipment and assembly-line techniques. The men in the program will be gaining on-the-job training and experience comparable to the best that is offered by private industry.

These men will be paid for their labor. That money could be used to help them support their families or it could be saved for the offenders' use in re-establishing themselves upon release.

This industry could be built, equipped, and ready to begin production by 1973. It could mean substantial savings to the state of Illinois. The start-up costs of approximately $1 million will come from a revolving fund already set aside for correctional institutions.

Some 44 of the 50 states now manufacture license plates in their prison industries. It is a proven, sound, and economic governmental practice and it will significantly enhance the range of assembly line training opportunities available to men in our state institutions.

10. I also commend for your most careful consideration the Uniform Corrections Code which was presented to you last week. Notwithstanding the establishment of a basic criminal code for our state in 1961, reform of our criminal procedures law in 1963, and the revision of our juvenile court law in 1965, we in Illinois have not gone all the way in reforming our basic law covering conditions from conviction through release.

I identified this need in our message to you two years ago, and with your support we extended the life of the Council on the Diagnosis and Evaluation of Criminal Defendants for an additional two-year period, giving it the specific charge of preparing a model code for your consideration. To assist them in their work, a $108,150 grant from the Illinois Law Enforcement Commission was made available to the council.

Their work product represents a thorough and comprehensive study. While it would be premature to endorse all that it contains, it proposes many worthwhile reforms, and warrants your most thoughtful and deliberate attention.

The Future of Corrections in Illinois

Later this year the Department of Corrections will present to the people of Illinois a master plan for the regionalization of correctional treatment centers. This plan, which will depend upon local county involvement and cooperation, will permit greater economy and more effective programs and facilities by reducing the number of county jails from more than 100 to approximately 40 properly staffed regional correctional centers. This will eliminate the need for so many costly and totally inadequate local lockups and county jails.

Standards have been established for correctional institutions. Now we must help cities and counties provide detention and treatment facilities which will meet those standards. There is broad support for this among law enforcement officials throughout Illinois, and much has already been done by way of groundwork liaison with local law enforcement commissioners and county boards.

There now is a consolidated Department of Corrections in Cook County planning a major modernization program. Rockford and Winnebago County, and Danville and Vermilion County are planning joint city-county facilities. Officials from Gallatin, Hamilton, Hardin, Pope, and Saline Counties have met with the Department of Corrections to consider regionalization.

The Illinois Law Enforcement Commission will work with local officials to obtain federal planning and action grants for these purposes. The Department of Corrections will provide research and technical assistance and will be working hand in hand with the Commission.

Illinois is on the move in corrections. We still have a lot of catching up to do, but we are on the right track and we are gaining the interest and understanding of the public.

With this understanding must come the realization that government programs and institutions — no matter how well conceived or administered — are only part of the solution to the difficult problem of crime and delinquency. Crime doesn't just "happen." For every act of delinquency, there is a delinquent. For every crime, there is a criminal.

Each delinquent — each criminal — is nothing more nor anything less than a human being behaving in ways unacceptable to society. It is at this level — at this very personal level — that we must succeed to be truly effective. This is a level involving more than the activities of government.

But we in government can provide the leadership to show the way. We can help the individual with two strikes against him to keep from striking out. We can make it less difficult for those who have made mistakes in the past to rejoin their communities — our communities — as full citizens with hopes like yours and mine for better futures.

I have reported to you the progress that Illinois has made in this direction. What has been accomplished could not have been achieved without the bipartisan support of this assembly. I believe the results speak for themselves, and are a credit to all the members from both parties who backed the innovations of the past two years.

What we propose for the future also will require your bipartisan support. Again I ask your cooperation, and again I pledge you mine.

FEDERAL AID

TUESDAY, MARCH 23, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the 77th Illinois General Assembly:

In my recent budget message to you, I emphasized the desperate need for congressional action this year on both federal welfare reform and a system of federal revenue sharing.

Failure on the part of Congress to act this year to pass some form of broad federal relief will require wrenching cutbacks in many existing programs in Illinois. We can forestall this kind of defeat only if we all — you and I and the people of this state — speak with one voice to emphasize to the Congress that the time for action is now.

In this special message, I would like to explore with you some of the major dimensions of this crisis in the federal system, addressing not only the financial pressures facing state government, but also those upon local government. By truly understanding the nature of this state and local fiscal crisis, we can appreciate better the need for a thoroughgoing structural reform of federal fiscal relationships, in which welfare reform and proposals for general and special revenue sharing are important and basic first steps.

I believe that America can survive the crisis that afflicts the great cities and changing states of the nation, but that this survival depends on major reforms in our governmental institutions, programs, and procedures—reforms that will permit the problems of change to be dealt with directly and effectively. I abhor the alternative: a more highly centralized and nationalized governmental system which in the end will prove to be unequal to the task.

Because the problems of urbanization are so severe, complex and intertwined with one another — and because the spectrum of essential institutional change is so broad — the major structural reforms will not be easy, nor will they be achieved in a day.

The Financial Crises of the Industrial States

The sickening financial outlook of the industrial states and their large cities demonstrates that we have delayed too long in undertaking essential structural reforms.

Despite increasing federal assistance and despite more than 450 major tax increases which have been adopted in the past dozen years by state governments alone, states and localities across the nation face an estimated gap between expenditures and revenues of $10 billion in 1972.

The financial plight of the major industrial states during the coming fiscal year is indeed overwhelming. Eight of the nine major industrial states (California, Florida, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Texas—all but Illinois) have already proposed either higher taxes or drastic reductions in services. In the event that new federal revenues are not forthcoming, we in Illinois will have to curtail vital programs drastically to see us through the coming fiscal year.

The plight of the cities is even more frightening. Now, for the first time in many years, many cities are finding they can keep going only by cutting essential public services. New York City, on the verge of bankruptcy, faces a revenue deficit of $300 million for 1971. That city's school system is faced with the prospect of laying off 6,500 teachers. In Detroit, Cleveland and other large industrial cities, the story is much the same.

The financial pinch of the large cities will not be relieved, as some persons think, with the anticipated economic recovery. Certainly the recession has added to the financial bind of cities which have important responsibilities for financing welfare, like New York and Detroit. But there are more fundamental developments, coinciding and all moving in the same direction at once, which will continue to increase the fiscal pressure on the cities.

First is the diminution of the resources available to aid the cities. This is a critical development. Central city tax bases—property, sales and income—have either failed to grow or are growing much more slowly than surrounding areas due to the outmigration of business and higher-income families. In recent years, when money pressures got too heavy, cities could turn to state government for additional cash. But now the states are up against the wall, too, and for much the same reasons as the cities.

Second is the growing militancy of government employes, which is likely to result in rapid advances in wage and salary scales. In addition, local governments continue to be exposed to other price increases over and above what they pay out in wages. As a result, costs to local governments, and state governments as well, will continue to rise faster than those to the local citizen.

Third is the absence of gains in productivity corresponding to increases in costs. This results in some cases from public policy decisions that services should employ more people; for example, that more teachers are needed for a given number of students, or that more policemen or health inspectors are needed. In other cases, however, our public institutions are so outmoded that they have been unwilling or unable to take advantage of technological innovation.

The Illinois Response to Local Government Needs

In Illinois, the financial plight of our cities is not yet desperate. Yet this is so only because our state government has moved ahead of other states in helping to finance services that must be increasingly financed at both the federal and state levels—public welfare, education, transportation and health care.

- In Illinois, responsibility for financing almost all of the non-federal share of spiraling public aid requirements was long ago shifted to the state. Our state government now finances more than 97 per cent of the non-federal share of Medicaid and welfare compared with slightly over 55 per cent in the state of New York.

  If we had not assumed this responsibility, our largest Illinois cities would be close to bankruptcy, for this burden has increased by $451 million in the last two years.
- As emphasized in an earlier special message to you, Illinois has moved dramatically toward assuming its responsibility in the financing of elementary and secondary education. The state's share of total school spending has, in two years alone, gone up from 29 per cent to 40 per cent. Since 1969, state school aid through the school formula alone has gone from $410 million to $755 million — an increase of 84 per cent. Again, this has removed a crushing burden from local governments and the local property tax base.
- For the past two years, the state has moved to offset a portion of the loss to local governments resulting from elimination of the personal property tax. Last year, a "save-harmless" fund of $8 million for special districts was passed, and it has been included again in the 1972 budget. For 1972, $13 million has been included in the school formula specifically to compensate school districts for personal property tax loss.
- A cornerstone for this administration's program for assisting local governments in dealing with the problems besetting them has been increased general purpose financial assistance, including a major revenue sharing program. The administration's aggressive program of aid to local governments has

resulted in an increase of local general revenues provided or collected by the state from $152 million in 1969 to $361 million in 1972. This is an increase of 137 per cent.

The Federal Aid Response: Too Little and Too Lopsided

We can take pride in the fact that Illinois has recognized the impending crisis in local government finance and has successfully staved off that crisis. We have done so in the hope that the federal government would respond to the fact that current responsibilities for the financing of welfare, health care and education remain badly misallocated among the three levels of government.

Despite the vastly superior fiscal resources of the federal government and the mounting evidence that only a truly national welfare program can distribute costs and benefits equitably across the land, state and local governments will be required to pay almost half of the nation's $15 billion welfare cost in 1972. Congress lost little time in 1965 in enacting the Medicaid program, yet it has been slow indeed to react to the tremendous pressures the program has placed upon state treasuries.

As I emphasized in the recent budget message to you, the existing system of public welfare is rapidly driving this state toward financial crisis. The state's share of increased welfare costs, totaling $124 million, accounts for no less than 84 per cent of the projected growth in state revenues for the coming year.

I continue to view the lack of follow-up by Congress in this field to be fiscal irresponsibility. The overall response at the federal level to our mounting fiscal difficulties has been dismal.

Even assuming enactment of the Family Assistance Plan for 1972 and sharply increased amounts of federal aid to the state due to an intense effort to maximize federal financing, federal aid as a percentage of state revenues will have shown virtually no growth during recent years. Federal aid to the states simply has not kept pace with the increasing demand for public services.

In addition, the current system of federal aids is overwhelmingly complex. There are so many different specific categorical grants that few can even agree on the exact total. A federal catalog of more than 1,000 pages is required merely to abstract the current available programs. The complexity of the present system has led to the need for the establishment of offices for federal liaison by many states and cities and to the rise of the federal aid specialist who "knows the system." It has also led to proliferation of bureaucracies, in which each federal bureau engenders its counterpart in the states and cities. In short, the federal categorical grant-in-aid system has become an administrative monstrosity.

The extreme effects of an incentive grant "gone bad" are seen in the case of public welfare. From an admirable depression-years program designed to stimulate state provision of relief for the needy, the federal welfare grant programs have degenerated into a nightmare for the states. Starkly put, the states cannot afford to get out and cannot afford to stay in.

The state of Illinois receives substantial federal grant monies for welfare — an estimated $386 million last year that matches an estimated $392 million of state expenditures for federal categorical welfare programs. In addition, the state spends $118 million on general assistance for which there is no federal matching. In return for federal aid, the state must administer its welfare program under a complex set of federal regulations that in themselves help lead to uncontrollable increases in costs. Thus, in Illinois as in other states, the state government finds itself shackled to a program that even with federal matching represents the greatest single financial drain on state revenue growth — and this for a program that is widely recognized as a failure.

There is hope for improvement. As a result of these problems, the concept of federal grants-in-aid has begun to change significantly. Our federal system is beginning to be less a spectrum of specific and distinct programs that presume the federal government's wisdom. It is more often seen in terms of the need to have strong and viable governments at all three levels of the system, each dealing with its proper scope of problems according to its priorities. As this perception has changed, the concept has grown that federal grants ought to at least serve the complementary purpose of strengthening the fiscal resources of the states and cities by more rationally allocating functions among the three levels of the federal system.

Reform of Federal Aid

The current proposals for federal general revenue sharing and special new revenue sharing, or "block grants," are consistent with this underlying philosophy. At the heart of these proposals is the idea of a more flexible federal aid program — a combination of federal categorical aid, general functional block grants to states and cities, and per capita general revenue sharing. Each of the mechanisms is designed to meet specific needs:

- General revenue sharing on a per capita basis, adjusted for variations in tax effort, to allow states and localities to determine their own priorities and help solve their own most crucial problems.
- Special revenue sharing, or a consolidation of existing specific grants-in-aid into block grants, to give states and localties greater flexibility in meeting needs in six broad functional areas of national concern.
- The categorical grants-in-aid to stimulate and support programs in specific areas of national interest and promote experimentation and demonstration in such fields.

The President's plan for general and special revenue sharing will provide state and local governments with an annual total of $16 billion in more flexible funds. Nearly $6 billion, or about one-fifth of the total grants-in-aid, will be "new money" — above and beyond what states and localities are now receiving.

Although the new proposals, when enacted by Congress, will provide states and localities with some additional cash, the total will fall far short of meeting total needs. The new money will represent only four per cent of total state and local expenses in 1972. Given anticipated needs, states and localities still would have to raise more than $4 billion in new taxes or else cut back essential services to save this amount.

The federal government's commitment to domestic needs must in coming years be far broader than envisioned in even the President's bold proposals. If not, state and local governments will continue to fall farther and farther behind, still tied to archaic and hopelessly inadequate tax structures. It is estimated, in fact, that the natural growth in revenues from these sources lags some 40 to 50 per cent behind the growth rate for state and local expenditures. This means that without a broader federal commitment to national programs we will continue to impose an intolerable burden on taxpayers at the state and local level.

The national administration's proposals reflect a growing awareness of the fact that the inherent revenue-raising capacity of the federal government is far superior to that of states and communities. As the President has emphasized, "The growing fiscal crisis in our states and communities is the result in large measure of a fiscal mismatch; needs grow fastest at one level while revenues grow fastest at another. This fiscal mismatch is accompanied, in turn, by an 'efficiency mismatch' — taxes are collected most efficiently by the highly centralized federal tax system, while public funds are often spent most efficiently when decisions are made by state and local authorities."

The geographic comprehensiveness of the federal tax system is the key element of this superiority. The most appropriate revenue bases are those tied to the economic productivity of our society. And, in this day, our econmy is regional and national in scope. To draw an arbitrary boundary around a community and assert that the proper tax base for services within that community is encompassed by that boundary—this is a throwback to an era when real property was the most valid economic base. It has resulted in the development of complicated and ultimately arbitrary formulas for measuring tax bases—for example, the three-factor formula for allocating income of a national corporation to a given state.

The way out of a growing domestic fiscal crisis during the 1970s requires two major efforts: (1) applying fast-growing federal revenues to state and local expenditure requirements, and (2) national financing of truly national programs with which our states and communities are currently overburdened.

Once we cut through the gloom occasioned by the fiscal requirements of a wartime economy, as well as the depressed state of the nation's economy, and take a realistic view of the revenue growth potential of the federal income tax, it is readily apparent that both objectives can be achieved without raising tax rates and without levying new taxes. This long-run view is consistent with experience over the last 20 years, during which there has been a persistent lowering of federal tax rates accompanied by a growth in federal nondefense expenditures at a much lower rate than the increase in federal revenues.

Welfare Reform

I continue to believe that a truly effective partnership between the three levels of government can exist only when federal government assumes its rightful responsibility for programs which are truly national in scope. This means a far greater federal responsibility for the financing of welfare, education, transportation and health care.

These programs represent investments in people, and more than ever, mobility of people throughout the nation is a dominant characteristic of our society. Many of the acute problems of our besieged cities are the result of lack of this investment in people at earlier times and in other places. Only when national action has insured that large portions of our population do not start with a handicap can we hope to find a fundamental solution to the present crisis.

I believe that welfare reform must take the highest priority in this regard, because the present system has become not only a financial but a social disaster. Genuine welfare reform must culminate in complete federalization of the welfare system.

The welfare system in this country has not been rationally developed. It started as an effort by the states and federal government to respond to the economic crisis of the Depression. Since that time several changes have been made. These changes, however, have been piecemeal in nature and have not addressed the major imbalances in the system.

The federal government has, since the Depression, taken the lead in welfare. In order that states might receive the badly needed federal matching funds, they had to conform to federal laws and regulations. Because of limited funding and the necessity of following federal guidelines, there has been little opportunity for creative action by the states.

Only the federal government has the resources and power to bring the existing welfare system out of its present impasse. The Family Assistance Plan is a meaningful first step towards the rationalization of the entire welfare system. The Family Assistance Plan will result in substantial reform of the existing system and significant relief of state and local welfare burdens. In fact, the $4.4 billion proposed by the President for FAP will be sufficient to offset nearly 50 per cent of the state and local portion of the welfare burden nationwide. Here in Illinois we can expect to receive $65 million in the first year of the Family Assistance Plan.

Besides bringing some additional fiscal relief to the states, the Family Assistance Plan will provide significant improvements in the existing welfare system. These will include:

- The inclusion of working poor. There are currently an estimated 1½ million families in the United States headed by fulltime workers who are still in poverty. As many as 75,000 of these families may be in Illinois. The Family Assistance Plan will assure these families a minimum standard of living.
- Incentives for work. One of the best features of the Family Assistance Plan is the strong incentive it provides to people receiving aid to become more independent and self-reliant. Currently the existing system discourages gainful employment, and encourages dependency.

- Greater equalization of welfare benefits among the states. Currently, under AFDC, recipients can receive $66 per person per month in New York, and $9 per person in Mississippi. These disparities in the levels of public assistance will be narrowed under the proposed program. A side effect of this equalization will be to reduce the incentive for welfare recipients to migrate to high welfare-payment areas like Illinois.

Let me emphasize that the Family Assistance Plan and proposals for revenue sharing are only the basic first steps toward basic structural reforms in our federal system which will restore vitality to state and local government. Efforts must continue during the coming years to complete the reform to bring responsibilities at the three levels of government in our nation into line with their resources.

Our Long Run Commitment to Local Government Fiscal Reform

The achievement of national goals toward revitalization of state and local government and application of federal revenues to domestic purposes require three steps. First is the implementation of unrestricted revenue sharing — the precedent set by Illinois for its cities and counties should be followed by the federal government. Second, the existing categorical grant system must be simplified. Obsolete and overly narrow categorical aids must be abolished, either through consolidation into broad block grants or through simple elimination. Third, the federal government must make a bolder financial commitment to programs which are truly national in scope, starting with federalization of the welfare system.

The basic direction that these commitments take is toward a more effective system of state and local government which will restore fiscal balance to our local communities.

In spite of great efforts by this state administration toward this end, Illinois continues to be faced with intolerable imbalances between local "have" and "have not" jurisdictions within the state.

- There is a continuing political fragmentation and fiscal splintering of the tax base of our metropolitan areas that places powerful constraints on the ability of local jurisdictions to meet needs effectively.

- The fiscal disparities are as great between our poor rural areas and wealthy suburbs. Among counties, per capita incomes show dramatic disparities disproportionate to the costs of financing local government services.

Our program is twofold:

- First, there must be a sharp reduction in the soaring demand for taxes raised at the local level. Federalization of the welfare system will release more than $300 million to state government in Illinois. The release of these resources to the state would permit further realization of the fundamental goals affirmed under our new constitution. For example, that document reaffirms the responsibility of state government for providing free elementary and secondary education, and assigns the state the primary responsibility for financing education generally. Fulfillment of this responsibility meets the twin objective of greatly reducing fiscal disparities and property tax overloads among our local governments. I believe that relief from the inordinate burden of local tax inequity, which still remains far beyond the present capacity of the state to achieve, must remain one of our highest priorities during the 1970s.
- Second, greater efforts toward effective balancing of needs and resources at the local level are essential. The federal revenue sharing proposals give us substantial incentives to rethink our whole system of federal and state aids to local government. There is a financial incentive, for example, for each state that is able to work out with its local governments its own distribution plan for general purpose grants—one that will best suit its own particular requirements. This I propose we undertake immediately upon enactment by the Congress of the proposed plan, with the question of fiscal disparities within this state having the highest priority among many issues to be resolved. In addition, we must resolve how best to utilize our own substantial general purpose aids to local government in a manner so as to best complement the input of federal dollars.

A major consequence of the plan for special revenue sharing is increased state responsibility for policy formulation in six broad functional areas: urban community development, rural community development, education, transportation, manpower training, and law enforcement assistance. The responsibility of our state, in turn, is to find ways to achieve better grant programs in these areas. The challange before us is the overhaul of an outmoded and ineffective federal grant-in-aid network of separate grant arrangements developed on a piecemeal basis.

This renewed federalism recognizes that the states are uniquely qualified to bridge the gap between the other participants in the federal system. At the one extreme, the federal government is simply too large and cumbersome to promote really workable programs at the local and regional level; at the other, city governments as institutions are too limited in scope to be able to deal effectively with many of the problems besetting them. The state government is emerging as a vital institution able to meet the needs of all the people.

These changes will strengthen our federal system—our basic constitutional structure — by strengthening its vital constituent parts, the state and local governments. They will strengthen our federal system by achieving a better balance of power and a better allocation of capability.

Perhaps most important, these reforms will strengthen our institutions by improving fiscal responsibility, at all levels; at the federal level, by facing the responsibility for the chaos resulting from inadequate federal welfare policies and outmoded federal grant categories; at the state level, by providing the resources to meet domestic needs and the pressure to meet them responsively; at the local level, by making local officials more accountable to the people of their communities, while relieving local government from bureaucratic confusion, absentee controls and an inequitable local tax base.

There will be more, not less, fiscal responsibility if these reallocated resources are controlled by elected officials of state and local governments. The members of this assembly, city council members, village trustees, county and township supervisors, school board members and other elected officials will be closer and more responsive to the people than the Washington and regional bureaucrats who really administer federal grant programs now.

I ask your strong support for these reforms and your efforts in stimulating the support of your constituents. We need congressional enactment of federal welfare reform and revenue sharing *this year.*

If we act decisively and without delay, we can strengthen our federal system by involving people more actively in decisions that affect their lives, their needs, and the ways to meet these needs.

We can strengthen our state and our institutions of local government closest to the people. We can enhance the communities in which we live, and improve the quality of life for all of us.

INSURANCE

THURSDAY, MARCH 25, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the 77th Illinois General Assembly:

The turbulence of recent years has been accompanied by an erosion of confidence in our private enterprises as well as our public institutions. In another day of unrest, Abraham Lincoln said that "the dogmas of the quiet past are inadequate to the stormy present." This simple, direct call for *progress* is relevant to the rising concern over insurance protection for the public.

Insurance is an institution which has fundamental importance for our society. It is a medium of protection that is vital to our personal and family security, as well as to commercial growth. It affects the lives of every one of us, and is an important element of consumer costs. It is an institution built upon private enterprise and personal responsibility, yet an institution which enables the community to share the costs occasioned by accidents and disasters.

Insurance is one of the great industries of Illinois. Each year, Illinois residents pay more than $4.5 billion in insurance premiums. The state of Illinois annually collects tens of millions of dollars in taxes and fees from the more than 1,350 insurance companies doing business in this state. More than one hundred thousand people in Illinois depend upon the insurance industry for their livelihood.

It is our responsibility as public officials to see that the insurance industry as a medium of protection and investment truly operates in the best interests of the consumer. The qualities of fidelity and trust must be inherent in every insurance enterprise. The need to maintain these qualities requires our state government to assume a significant regulatory role in safeguarding the interests and welfare of the insured and the insurer alike.

Today, mindful of the importance of the soundness of insurance as an institution, I am submitting to you my recommendations on matters of insurance reform which I believe to be of special concern.

* * *

Legislative Proposals

Most of us are only too aware of the problems which Illinois residents may encounter in the area of automobile insurance. People are angry. They are angry about increases in insurance premiums, the relative unavailability of certain insurance coverages at reasonable costs, seemingly arbitrary cancellations, unsatisfactory claims settlements, unreasonable court backlogs, and insolvencies of insurance companies.

These are problems of deep concern to the consumer. When they arise, they become major problems in people's lives, and they should be of concern to elected officials, government agencies and the insurance companies themselves.

During the last several months, the Illinois Department of Insurance, in cooperation with the Insurance Laws Study Commission, has formulated one of the most extensive legislative programs ever presented to the General Assembly. These legislative proposals will grant additional authority to the Illinois Department of Insurance to protect the general public from those few unscrupulous agents, brokers, and insurance companies who would coldly defraud the consumer.

This program consists of more than 25 major proposals. They include legislation to:

1. Increase the capital and surplus requirements for new and existing companies, and to require increased security deposits consistent with the liabilities which the companies undertake. In addition, the department would be given authority to act where the continuation of a pattern of operations would tend to create a hazardous financial condition at some time in the future.
2. Bring out-of-state mail order companies and holding companies under the regulatory authority of the department, and to give the department more authority over annual financial statements which are submitted to the department, as well as in situations in which companies fail or refuse to comply with department directives.
3. Increase the amount of brokers' bond from $1,000 to an amount more commensurate with the brokers' important responsibility to their clients, the policyholders.
4. Require insurance companies to report agents who "involuntarily" resign for reasons connected with integrity or ability.
5. Expand the availability of insurance by requiring all companies to participate in a broadened automobile assigned-risk plan.

6. Give the department authority to require improvement and expansion of the "Fair Plan" — the property insurance program for the residual or marginal market.
7. Create an insurance insolvency fund which will provide protection for the innocent person who is the policyholder or claimant of an insurance company which becomes bankrupt.
8. Modify the existing reparations system — the system by which individuals who are injured in automobile accidents receive compensation for their injuries.

I should like to expand on the significance of several of these proposals.

Insolvencies

Perhaps the most urgent proposal pertains to the enactment of an insurance insolvency fund law for Illinois. The Department of Insurance has repeatedly urged the passage of such a bill, which would provide protection for the person who is a policyholder or claimant of an insurance company which becomes bankrupt and goes through liquidation.

Let there be no doubt about my position on this matter. I unequivocally pledge my wholehearted support to the effort to give the citizens of Illinois an insolvency fund law. *This law must be enacted at the earliest possible date.*

Illinois has had a dismal record of insurance company liquidations. Within the last 13 years, 29 insurance companies have been placed in liquidation in Illinois — more than in almost any other state. Twenty-six of these companies were declared insolvent and placed in liquidation prior to 1969.

The bankruptcy of these companies has created severe hardships for many innocent persons: Approximately 300,000 in Illinois have had policies with or claims against at least one of the now-defunct companies. Liquidations have, in many instances, left injuries unredressed, hospital bills unpaid and unpayable, people incapable of supporting households, and the lives of individuals and families in shambles.

The protection of innocent policyholders and claimants against insurance company liquidations is a continuing problem and a serious concern of mine. It is one which relates not only to those policyholders and claimants who are involved with the liquidation, but also to the reputation and structure of the insurance industry of Illinois. Twenty-six other states have enacted some form of insurance guarantee fund law — most within the last two years. Illinois, a leading insurance state, must take similar action.

The protection of people against possible future insolvencies of insurance companies must not, however, be our only goal. We must also dedicate ourselves to the expediting of claims against those companies which have already been declared insolvent and placed in liquidation, and to the avoidance of any continuation of regulatory policies that have failed to prevent insolvencies.

Present liquidation procedures are slow and cumbersome. Only after all claims against a particular company in liquidation have been evaluated and the amount of payment agreed upon can money be paid to claimants. Our present liquidation procedures, which are *required by state law,* even at optimum efficiency may not permit the payment of claims for many months — or even years. Claimants are frequently forced into borrowing money, using up savings, or occasionally declaring bankruptcy while awaiting the resolution of their claims. And more often than not, people with legitimate claims receive only a fraction of the amount to which they may be entitled.

When I entered office two years ago, there were 22 insurance companies still in the process of being liquidated. During 1967 and 1968, only one company — with only 14 claims — was closed out and the claimants of that company paid.

In January of 1969, I ordered a detailed study to be made of the companies in the process of being liquidated in order to establish a priority system for the closing out of as many claims and companies as possible. Within two years, the Bureau of Liquidations of the Department of Insurance evaluated more than 37,500 individual claims and closed out ten of these 22 estates.

More claims were evaluated and more liquidations terminated in two years by the bureau than in the ten years prior to 1969. Some claimants who had been waiting for a decade finally received payment.

Of course, our obligations extend beyond the enactment of an Insurance Insolvency Fund Law and the expediting of claims against insolvent insurance companies. We must *prevent* insolvencies.

During the last two years a revitalized Department of Insurance generated and implemented a new approach to insurance regulation. The goal of this young program is to prevent insolvencies. Regulation for "solidity" attempts to do this by placing greater emphasis on determining the financial trend of the company. It is designed to forecast, by the use of computer analysis and other modern management techniques, whether the current condition and operation of the company will allow it to remain viable.

The traditional concern of state insurance departments has been to determine whether insurance companies meet the minimum requirements imposed upon them by law. Should a company fall below the minimum legal requirements, it is placed in liquidation. Regulation for solidity does more than accept this bare minimum scrutiny.

Prevention of Abuses

The operation of insurance companies according to the letter and the spirit of the law continues to be one of our major concerns. We are equally concerned, however, with looking to the future ability of a company to meet all requirements and to remain a viable, going concern. In this way, we intend to prevent companies from becoming insolvent.

Our determination to engage in a forward looking, scientific policy of insurance regulation is also reflected in the department's budget for next year. For the year prior to my entry into office, the budget for the Department of Insurance was $2.6 million. For 1972, I have recommended a budget of $4 million, permitting an increase in staff to about 300.

Such an investment of money and personnel is both necessary and proper. It is the duty of the state to protect its 11 million residents and the tens of billions of dollars which they have paid in premiums to obtain protection.

With the 45 new staff members the department hopes to hire in the coming year, the examination and auditing of insurance companies can bring about even stricter compliance with the law. The department's consumer complaint division will be expanded. A new electronic data processing system will provide better supervision of company activities. There will be more efficient processing of the more than 151,000 licenses issued annually by the department.

Our goals must be the protection of the consumer and the enlightened regulation of the industry. Beyond the protection of the consumer, we must provide the opportunity for the vast number of hard-working and responsible agents, brokers, and companies to receive the public trust they deserve.

Rates

Any consideration of insurance must address the question of auto insurance premium rates. We are all aware of the increases in these rates during the past several years.

Automobile insurance in Illinois currently operates under a competitive rating system law which expires on August 1 of this year. The Department of Insurance has recommended that the system be permitted to continue.

Some argue that the present system has not been in operation long enough for proper evaluation of it to have been made. There may well be reason to extend the system's lifetime in order that its usefulness may be determined conclusively.

This question deserves the most serious consideration by this General Assembly. The alternatives to the present system should be considered as well. Our ultimate concern must be the impact which our actions will have, both in the short term and over the years, upon the delivery of insurance services to the people of this State. It is my hope that the system which is finally adopted, after a trial period satisfactory to the General Assembly, will at least *stabilize*—and possibly *reduce*—the spiraling cost of automobile insurance. The policyholder must be provided the best possible insurance coverage at the lowest possible cost.

We must not forget, however, that the most effective way to reduce the cost of auto insurance is to reduce the number and severity of auto accidents. The cost of automobile insurance will continue to go up as long as the number of automobile accidents increases, as long as the cost of automobile repairs goes up, and as long as more and more people are injured and killed.

Lower rates will not come until we have made an unparalleled effort to take the drinking driver and the reckless driver off the road. This means we need an implied consent law with teeth in it, now.

Lower rates will not come until automobiles are built to withstand minor accidents and to provide more protection in major accidents.

Lower rates will not come until all of our roads and highways are built with safety as an uppermost concern.

Accident Reparation

Various proposals have been recommended in Illinois and other states concerning changes in the automobile reparations system—the system by which individuals who are injured in automobile accidents receive compensation for their injuries. One of the major goals of each of these proposals is to stabilize or to reduce the cost of insurance, but they also seek to alleviate human anxiety and speed justice.

Earlier this year, I requested the Illinois Department of Insurance to evaluate those proposals. That report will be submitted in the near future.

It is my belief that any recommendations must, at a minimum, provide:

- Extra insurance service and protection for drivers, passengers and pedestrians.

— Immediate payment to the insured of medical bills, lost wages, and other expenses — while the victim is in the hospital or recuperating — not years later upon settlement of a court case.

— Payment to policyholder claimants of a greater percentage of the total premium income of the companies; the present payment rate under bodily injury liability coverage is now only about 50 per cent.

— Sanctions to prevent the filing of fraudulent law suits.

— Reduction of court backlogs.

Nothing could more endanger our driving environment than the knowledge that the most reckless of drivers will not be held accountable for their actions. The tort and criminal system of law, as well as the insurance rating system, should be strengthened in order to deter the dangerous driver and to shift the cost of accidents to the individuals who are primarily responsible for automobile accidents and deaths.

We have heard a great deal about the unacceptable backlog of cases which now clog many of our courts, primarily in our urban areas. In the Circuit Court of Cook County, it takes almost five years for a case to come to trial and hence, for the accident victim to recover his losses.

There is no doubt that through better and more efficient operation of the court system this backlog of cases can be eliminated—or at least reduced. That is not the only answer, however.

We should strive not only to handle the existing cases more efficiently, but also we should attempt to decrease the number of law suits which are filed. These are several ways of doing this. Certainly part of the solution is actively to discourage the filing of fraudulent law suits by severely increasing the penalties for such action.

In addition, we should work toward a reparations system which does not encourage victims of automobile accidents to file unnecessary law suits in the first place. A more effective means of handling relatively minor automobile cases should be developed so that accident victims can obtain relief without having to go to court.

It has been estimated that approximately 75 per cent of the automobile injury cases which are filed in the Circuit Court of Cook County involve claims of less than $3,000. Most of these are settled without ever going to trial. And yet the accident victim frequently waits several years before receiving payment for claims. An alternative to this procedure must be developed.

* * *

Doubtless there are persons who will disagree with certain of these proposals—some because they are too extensive, others because they are not radical enough.

But I would hope that no one would disagree with the need for progress in the problem areas which I have identified. The causes for dissatisfaction are clearly visible. And I would hope that no one would deny, in this encompassing industry so deeply involved with the public interest, that we have duties which must be met to correct past oversights, to rebuild public trust, and to provide for a better future.

Recognizing these overriding concerns, I urge that in considering these proposals each of us might doubt a little of our own infallibility and work for legislation which seeks to improve the institution of insurance in Illinois.

In this spirit I ask your cooperation, and pledge you mine.

HEALTH CARE

THURSDAY, APRIL 1, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the 77th Illinois General Assembly:

Throughout Illinois and the nation, people are beginning to know the enormous difficulty of realizing their right to good health.

Poor people go without the necessary assistance or wait for hours in hospital emergency rooms. Working people face a labyrinth of impersonal health institutions. Parents agonizing over a feverish child have difficulty seeing a doctor at night or on a weekend.

It is a problem we thought we solved before.

The first people to feel the effects of the health care delivery gap are always the poor and the aged. As the lack of care became acute in the mid-sixties, Medicare and Medicaid were enacted to help the poor and the aged bridge that gap.

It all seemed simple. Care would be purchased with public funds without changing the existing system. No change was made in the supply of health services or in the system of delivering them.

Only now are we able to measure the complicated mess that resulted, all from the best of intentions. Proponents of the plans estimated the cost and decided the federal and state governments could afford it. They were wrong. It turned out to cost twice as much as had been estimated in the first year.

The great increase in purchasing power forced up the prices in an already expensive market. The health care gap was merely transferred to the working poor and the young who were priced out of the market and cut off from the limited supply of health care facilities and personnel.

Reforming the health care system is not as simple as we thought it was, and it's getting more difficult every day. Health in this country is now a $70 billion business, consuming seven per cent of our gross national product and employing more than three million persons.

Here again—in this profession which so intimately determines the well-being of every one of us—we have allowed our technology to run out of control. Massive research, brilliant training, sophisticated equipment, advanced computers, management systems, automated processing—all of the techniques of modern science and high finance are failing to serve the people. We simply are not getting appropriate health care to most of the people when and where they need it.

The problem is enormous and complex. Seemingly obvious solutions have only added to the problem. Somewhere a beginning must be made.

For me as governor and for you as legislators, there is only one place to begin. We must look at health care from the standpoint of the patient. We must concentrate on his needs and the quality of the care provided him. While we must expand the number, quality and availability of medical personnel and facilities, we must also be willing to look beyond the traditional doctor and hospital to expand the supply of health care providers.

The present outlook from the patient's perspective is bleak. Health care is poorly delivered and poorly financed.

Medical science has developed the research and technology necessary to prevent or cure most of the ailments people suffer. But we have not developed the mechanisms necessary for delivering the prevention and cure to the people. Instead of improving the quality of health care, each new advance only seems to highlight the delivery dilemma.

Seeing a doctor has become difficult. For many rural and ghetto residents, it has become virtually impossible.

In the inner city, the most routine treatments and precautions are unavailable because of the shortage of doctors. Since 1950 the number of doctors practicing in Chicago has steadily dwindled from 5,800 to 3,800. In one office building in the northern suburbs of Chicago, we can find more doctors than in the entire West Side, an area of 300,000 persons.

The result of this kind of deployment of our medical talent is obvious. The usual care provided in poor, inner city areas is under emergency conditions in the hospital emergency room.

This misallocation of professional resources means that only a full-time patient can make his way through the maze of institutions and agencies providing necessary care. A recent study of Chicago health care found a welfare mother who was entitled to medical assistance for herself and her four children. To obtain it, however, she would have spent nearly all of her time getting to and from the various institutions and agencies providing the care, a difficult situation for a woman who could not afford bus fare, much less a babysitter.

A generation ago a family's financial worries centered around owning a home and sending the children to college. To be sure, those worries remain, but today they are overshadowed by the fear of a bankrupting illness or injury. Wonder drugs and new surgical techniques have eliminated most of what were once frightening diseases and injuries. Now it is the bill that is frightening.

And it doesn't take a major illness for the family to feel the pinch. Paycheck deductions grow with the cost of hospital insurance. Even then, the monthly deductions mask the rate of inflation through their lack of visibility and through hidden benefit reductions. The insurance itself contributes to the bewildering enormity of the system and its costs. It is impossible for the average family really to evaluate its insurance coverage.

Health costs have been rising rapidly for the last twenty years, but they began to orbit in 1966 soon after Medicaid and Medicare were introduced. Since then, doctors' fees have gone up by nearly 30 per cent and hospital prices by 54 per cent.

Under both programs, doctors and hospitals are being paid on a cost-plus basis. Increasing the demand for health care with these dollars without increasing the supply gave health care providers a blank check. It encouraged expanded facilities, expensive specialized-care units, and overutilization of supplies and equipment.

For far too long, government in Illinois has made little progress in dealing with these problems. It was content with the existing system and had too few tools and too little commitment to improvement.

This cannot continue. In this message I am presenting proposals for action.

* * *

Health Maintenance Organizations

Our system of health care seems to have forgotten the maxim about an ounce of prevention and a pound of cure. It has made the ounce of prevention unavailable and the pound of care inevitable.

Afraid of the bill or unable to find a doctor, the patient does not seek care until the situation is acute. Then the doctor, worried about the patient's condition and about the cost of the care, puts him in the hospital where the care is the most intensive and the payment most burdensome.

The Health Maintenance Organization (HMO) offers a chance to make the prevention more available and the cure less expensive. These community-based organizations, based on pre-paid group medical practice, offer a system of paying the doctor for protecting his patients' health, not just paying him when they are sick. Monthly payments are the only bill the patient receives. He does not pay extra when he is sick.

In return the group of doctors employed by the HMO provides all necessary health care from physical examination to hospitalization. Effective prevention is encouraged.

The system rewards the doctor for maintaining the patients' health. As the quality of the prevention improves, the HMO's shared income increases. Inattentive or excessive care is penalized. If a patient is ignored or hospitalization goes on too long, the HMO pays the bill. And the patient's incentive is to demand the help he thinks he needs.

The HMO is sound in theory and has proved itself in practice in various communities. The difficulty lies in getting started. I am recommending five steps to mobilize state support for the establishment of Health Maintenance Organizations in Illinois.

First, I have instructed the Office of Comprehensive State Health Planning and the Institute of Social Policy to encourage, promote and offer consultation to public and voluntary agencies throughout the state on the formation of all types of Health Maintenance Organizations, and to seek and develop all possible sources and methods of support for these endeavors.

Second, the state will provide planning funds to community groups seeking to build cooperation between the medical professionals and the people. I am encouraged by the imagination and initiative that several such groups in Illinois have demonstrated in putting together local programs for comprehensive health care. These community groups are providing answers which fit local problems. Their efforts must be supported.

During the past year we provided planning funds for an HMO in Woodlawn. We are presently discussing planning grants with both the Hyde Park-Kenwood community and with a health care task force from a six-county area in central Illinois. I am requesting $150,000 of new funds to allow the state to expand its present efforts to these planning funds.

Third, I have directed the Department of Public Aid to mobilize to the maximum possible extent Medicaid dollars to purchase care from HMOs and community health networks for public assistance recipients.

Fourth, I have directed the Department of Public Health to give Health Maintenance Organizations the highest priority in the allocation of capital funds for the construction of health facilities.

Fifth, we have carefully examined the fringe benefit program of the state and have proposed a major initiative in new dollars for health care. The state will inaugurate a fully-paid health insurance program for all employees. As a result, the state, its employees and their families will enter the health market as a major purchaser of health care.

In the Springfield area, as a major employer, we will invite the region's major private sector employers to join with the state and the new medical school of Southern Illinois University in developing a Health Maintenance Organization. We are encouraged by the interest of a regional group of physicians and other health care providers now developing such a program to provide total health care on a prepaid basis. That organization can serve state employees, employees of large companies and welfare recipients. This effort will improve care and save money.

Planning and Construction of Health Facilities

To ensure orderly development of health facilities, I am proposing three important initiatives:

First, I will ask the General Assembly to enact an effective program of regional comprehensive health planning. Comprehensive health planning must become an effective instrument for analyzing our health needs and resources, for developing action programs to meet the needs, for setting priorities and for evaluating programs. On the state level, I have strengthened the Office of Comprehensive State Health Planning. I have placed it within the Office of the Governor, where it can exercise a planning and coordinating role in the health programs of all state agencies and provide leadership to voluntary planning efforts. I will ask the General Assembly to appropriate $300,000 for comprehensive state health planning.

State planning for health care can be no more effective than the state's community and regional comprehensive health planning organizations. Numerous communities and regions are now forming such groups on a voluntary basis. These groups must be broadened to involve the entire community or region, as well as professional personnel, and be given sufficient resources to carry on viable planning efforts.

To encourage and assist health leaders, professional and lay citizens throughout this state in developing community and regional health planning organizations, I will ask the Legislature to empower the Office of Comprehensive State Health Planning to assist these organizations and to officially approve those which meet established criteria of competence and participation. I will ask the Legislature for $250,000 for state matching funds to enable them to collect data, analyze needs, review and evaluate proposed programs and plan for their own communities' future. This money is needed because the federal government, after stimulating the formation of these groups, has not provided the financial support it originally promised.

Second, I am proposing legislation to provide for the issuance of permits by the state Department of Public Health for new construction or alterations in existing hospitals, nursing homes and sheltered care homes. Regulations and standards governing the issuance of permits will be developed by the Department of Public Health with the approval of a new Health Facilities and Services Planning Board. The membership of this Board will include representatives of the general public as well as health care professionals.

Criteria for the issuance of a permit will include the requirement that the proposed new construction or alteration be consistent with the orderly and economic development of health facilities and services. This legislation will also serve to strengthen the voluntary community and regional health planning to which I have already referred. Permit applications will first be reviewed and commented upon by the approved community and regional health planning organizations that have developed skills in health facility and services planning and are most familiar with the needs of the locality.

Third, I urge your approval of legislation allowing the state to sell tax-exempt revenue bonds to provide low-interest loans for the construction or expansion of health facilities. This proposal involves no state funds and no taxes. Health facilities will repay the bonds from patient revenues.

This legislation will permit health facilities, which cannot themselves issue tax-exempt bonds, to obtain capital financing at greatly reduced costs, thereby reducing the cost of health care to the general public. This can be a major breakthrough for the expansion and dispersion of health care.

Our support of each of these initiatives is dependent on the enactment of all of them. We cannot afford to provide capital financing for health facility development without the establishment of a strong program of state and regional comprehensive health planning. We must guarantee that future expansion and modernization of health facilities is consistent with the most economical provision of health care to the community at large.

Controlling the Cost of Health Care

The cost of hospital care is growing more than 15 per cent each year. Since 1966, when the Medicaid program began, this price inflation has cost the state $100 million. And it has increased the cost of health insurance for every Illinois resident.

To begin the complex job of controlling these costs, I shall establish an Office of Health Economics to coordinate state purchases of health care and to develop innovative reimbursement methods with potential for cost control. Through this office, we must develop a system for determining appropriate payments for health care, examining such alternatives as prepaid capitation plans, cost reduction incentives, co-payments for the Medicaid program and better cost benefit analysis and cost accounting.

I will ask this office to undertake as its first assignment the design of a new system of hospital reimbursement based on rates determined in advance and set for fixed periods of time. The current reimbursement method, based on full costs retrospectively determined, has discouraged sound hospital management and encouraged higher prices. In this assignment, the office will work with Blue Cross, other third party payors and health care institutions to explore new health care purchasing methods which offer improved care combined with cost containment.

As its second responsibility, this office will make a full review of reimbursement to extended care facilities, taking into consideration the interrelationships between supply and demand, state licensing requirements and the public aid payment formula.

Health Manpower

The need for more health manpower is clear. But further proliferation of licensing requirements will not help. It will produce more shortages and establish new barriers to competent professionals. Following the recommendations of the American and Illinois Medical Associations, and American and Illinois Hospital Associations, and many organizations studying the health manpower problem, I am asking the General Assembly for a moratorium on creating additional licensing and certification categories for health professions this year.

To review and recommend new initiatives in this highly technical and controversial area, I urge this Legislature to establish a commission with adequate appropriations to perform the evaluation and planning that is needed. This will include review of the existing laws, regulations and administrative procedures for licensure and certification. It will examine and recommend the relaxation of administrative regulations to remove existing barriers to competent individuals. This study will not prevent the greater utilization now of returning Vietnam veterans and Peace Corps members in allied health professions.

In addition, I am urging you to continue to support private health education. In 1970, we initiated the program with an appropriation of $8 million. Last year I proposed, and the General Assembly enacted,

$14.1 million of assistance to private medical schools and institutions training health professionals. In the 1972 budget, I am recommending expansion of this assistance. This public support has enabled these schools to make major commitments toward increased training of physicians and other health care personnel for the State of Illinois.

We have also provided increased support for the public institutions of health education, and this has resulted in increased enrollments. In addition, a new medical school is currently under development in Springfield, and new schools are planned for Peoria and Rockford.

As we have increased public financial support of education in the health fields, we have developed a careful costing process that provides per capita funding of educational programs in both the public and private sectors. Universities have been funded in proportion to their enrollment. To qualify for increased state support, the schools must increase enrollments.

This formula has been successful in stimulating enrollment growths. We are continuing to explore other innovative means of rewarding universities according to their production of graduates in the health fields. In addition, we are developing cost-benefit techniques enabling us to assess the efficiency with which universities use state funds to train health manpower.

Nursing Homes

The state has an important responsibility in the lives of the 58,000 aged people living in long-term care facilities. The state licenses and inspects the facilities. It places former state patients in these facilities when medical and psychiatric professionals are sure that appropriate care is available. And it pays, primarily through Medicaid, for the care of more than half of the patients in nursing homes. We are taking six important steps to meets our responsibility in this area.

First, we are working intensively to identify more precisely the problems facing us. It does no good to indict the entire nursing home industry for the performance of those who have so badly failed their patients. Many dedicated people are providing dedicated care in sound facilities. Our problem is to identify and eliminate the exceptions who have taken advantage of the unfortunate.

Second, the Department of Public Aid, the Department of Public Health and the Chicago Board of Health are moving in concert to stiffen licensing compliance procedures both in Chicago and downstate. They have closed homes, withdrawn patients, started revocation-of-license procedures, and given notice to homes to correct serious deficiencies within thirty days or face license revocation.

Third, I have ordered the Director of the Department of Public Health to intensify enforcement operations throughout the state. The department's staff of inspectors is being increased by 50 per cent. Inspections will be unannounced. They will take place at all hours of day and night. The department will streamline inspection procedures and deploy personnel for maximum impact on nursing care. This level of surveillance and enforcement will be sustained on a continuous basis.

Fourth, we have developed closer working relationships with the Chicago Board of Health to assure maximum coordination and efficiency in a joint effort to secure high standards of nursing home care in Chicago. Arrangements have been made for standardizing licensing requirements, full exchange of information, frequent consultation and joint enforcement action. Enforcement will include the withholding of public aid payments when nursing care is deficient.

Fifth, I have instructed the directors of the Departments of Public Health and Mental Health to expand their medical review programs to make certain that every state patient receives care of high quality. Specifically, the movement of mental health patients from state institutions to group care facilities will be even more carefully reviewed by the Department of Mental Health to ensure that all individuals are receiving appropriate care — particularly people who moved out of state institutions before the commencement of our geriatrics transfer program and those who have independently relocated in a group care home. All patients found to be receiving substandard care will be relocated to better facilities.

Sixth, I have instructed the directors of Mental Health, Public Health, and Public Aid to collaborate immediately in establishing a comprehensive pre-admission examination unit for all elderly persons who seek admission to a state mental hospital. I propose that this unit be established to serve northeastern Illinois from the West Side Medical Center.

This unit will enable the state to provide a comprehensive physical and mental examination for an individual within seven days of his arrival and a study of his family and community situation. The establishment of this special unit will enable a highly trained clinical team to render diagnostic services to a large number of elderly persons, and then to arrange placement according to the patients' need. Such a program is necessary not only in terms of the money it will save, but more important, in terms of the quality of patient care it will provide.

While taking immediate action on the problems of surveillance and enforcement is necessary, we recognize broader issues of caring for the aged. Comprehensive analysis is needed and will be done.

Beginning with review of the 1970 census data, a projection of the future need for nursing home care will be developed. Supply and demand trends will be projected. New methods for stimulating construction of long-term care facilities in the private sector will be identified. Development of new types of facilities emphasizing rehabilitation and activity programs and ambulatory care will be encouraged. And nursing home manpower problems will be studied.

Analysis of the state's current rates and methods of payment is already underway. The functions of each state agency involved in the follow-up and social services for group care residents will be analyzed to identify functions where services need to be enhanced or better coordinated.

The importance of these efforts cannot be exaggerated. Our commitment cannot be relaxed.

Special Health Initiatives

More and more frequently, the state must provide solutions for specific health needs beyond the technical and financial capabilities of the local community and its overburdened practicing physicians. Problems like lead poisoning in the inner city, contaminated blood in hospitals, the burden on the black community from sickle-cell disease, disease-carrying rats spreading unchecked, the terrible toll of accidental injury and death, skyrocketing costs for renal dialysis, and newer techniques of transplantation, are only a few of the multitude of health issues which must be faced.

I have ordered various state agencies to begin in-depth analysis of these needs and suggest means by which the state can participate with the medical community. In two areas, we have already initiated specific programs.

(1) The Quality of Blood

The quality of the blood received by the patients in the hospitals of our state, as in hospitals across the nation, is threatened by serum hepatitis. Last year there were 50,000 cases of this disease in the United States; 5,000 of these were in Illinois.

Serum hepatitis is caused by the transfusion of contaminated blood or blood plasma. It can mean prolonged hospital stays, and for those already weakened by disease, it can mean death. Approximately 250 people died from the disease last year in Illinois alone. It is especially serious because even the most modern laboratory techniques can detect less than half of the contaminated blood.

The hospitals and research laboratories of Illinois continually need more blood for their patients and their programs. The supply of blood from volunteer donors has not met this demand. As a result, hospitals and laboratories have turned to commercial blood sources to fulfill their blood needs.

At these commercial blood banks, derelicts from Skid Row and narcotics addicts can sell their blood for $10 a pint. Some of these donors conceal the fact that they have this disease in order to sell their blood or are unaware of their affliction, thus increasing the threat to potential recipients.

The recipient of commercial blood pays at least five times more than he would for blood from a volunteer donor. He must also take a risk ten times greater that the commercial blood is contaminated by serum hepatitis.

A recent decision by the Illinois Supreme Court held that a patient infected with hepatitis through a transfusion could recover damages even though no negligence on the part of the blood bank or the hospital could be proved. This decision places the hospitals of this state in a dilemma: the hospital can give the transfusion and risk a damage suit for hepatitis infection or it can withhold the transfusion and risk a suit for malpractice. Whatever the decision by the hospital, the patient is the one person who must suffer, for it is he who will contract the hepatitis or die because of the lack of a blood transfusion.

Legislation intended to remove warranty liability from the transfusion of blood is already moving through the Legislature. I support this bill.

I believe, however, that we must do more. The state and the health care community must take simultaneous action to ensure that sufficient quantities of safe blood are available. We cannot return to the status quo which produced the court decision.

To help ensure an adequate supply of blood for all the people of our state, I am requesting an appropriation of $100,000 for the Department of Public Health to establish a statewide computerized system for the inventory and cataloging of blood. At the present time, 25 per cent of the units of blood drawn is wasted because no recipient can be found before the viability of the blood is lost. We cannot afford this terrible waste. With this information system, hospitals will be able to locate the type of blood they require in any part of the state.

As a second phase of this effort, we must ensure that the blood used by the citizens of this state is as pure and disease-free as possible. The most effective way of doing this is through a strong, continuing statewide volunteer blood donation program. Los Angeles has such a program, and it also has the lowest incidence of serum hepatitis of any major metropolitan area.

To aid in the development of such a program, I recommend that state funds be provided to support local volunteer programs. We are prepared to start now with $10,000 for the Chicago Blood Council to establish such a program in that city. These funds will be matched from local sources. I am directing the Director of the Department of Public Health to implement this program immediately to make certain that no citizen in any part of Illinois dies because of the lack of safe, pure blood.

(2) Emergency Medical Care

In 1970, there were 105,000 people killed in accidents of all types in the United States. More than 5,000 of these deaths occurred in Illinois.

Accidents are the major cause of death for adults under 40 and for children 14 years of age and younger. Aside from this terrible human cost, insurance costs for accidents in Illinois alone amounted to $680 million in 1970. The total cost is well over $1 billion annually.

Many of those injured in these accidents died needlessly or were permanently disabled because they did not receive prompt and proper emergency care. We can remedy this.

A satisfactory outcome after accidental injury is dependent upon two basic factors — the availability of initial medical care, and the adequacy of early therapeutic measures.

To help provide the best possible medical care for patients injured in accidents in this state and to reduce the human and financial cost of accidents in Illinois, I recommend that the Legislature approve an initial expenditure of $1.2 million to be reimbursed 50 per cent by the federal government. These funds will allow the Department of Public Health, in cooperation with the hospitals and doctors of this state, to develop a statewide system of trauma facilities.

Under this plan, approximately 40 hospitals or medical centers throughout the state will be designated as local area trauma centers. These centers will be equipped with technically-qualified ambulance services, radio and computer communications systems, and qualified around-the-clock medical and paramedical personnel. Helicopter service will link local trauma centers with at least nine major trauma centers that will serve the entire state.

These facilities will help to provide the immediate and specialized care required by the patient critically injured in an accident.

Organization

Accomplishing the programs outlined in this message will require sound organization and staffing. We now have a number of state departments, agencies and institutions involved in health and health education.

Responsibility for programs is often fragmented. A number of these agencies approach the same problems without adequate communication. No agency addresses itself adequately to the overall coordination of total health care. As health education enterprises assume greater responsibilities for care, even closer coordination will be required between education and care sectors. A greater degree of coherence and coordination in state planning and administrative efforts is required.

The interrelationships between various regional and local planning bodies and the state must be systematically worked out and a careful review of appropriate delegations of responsibility accomplished. And, wherever possible, a streamlined structure at the state level should assist the local bodies in relating to each other. By so doing, much of the duplication that now occurs can be eliminated, resulting in significant saving of time and thus a saving of tax dollars.

Accordingly, I will make a careful study of the administrative structure of state health programs and develop recommendations for greater efficiency and coordination at the state, regional and local levels. We will consider the possible benefits of consolidating all state health functions. And we will further examine the state's role in the development and coordination of regional and local comprehensive health planning organizations.

* * *

Delivering quality health care to the people of Illinois is one of the most complex issues facing this General Assembly. There are no easy answers. Apparent solutions have become enormous problems.

But inaction would be unforgivable. The stakes are too high.

This program represents the beginning of the answer. It is a beginning that should have been made long ago. It cannot wait any longer.

I ask your support.

DRUG ABUSE

THURSDAY, APRIL 15, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the 77th Illinois General Assembly:

Major progress against drug abuse will be difficult to achieve.

It is not beyond our capacity. But it surely will not be easy.

Past failures alone demonstrate this. Although sincere men struggled with drug abuse long before the children of affluence dropped out and brought the "drug problem" close to most of us, their efforts met only with minimal success.

Alcoholism has been a recognized problem for centuries. Alcohol still is our most widely abused drug, if not the most dangerous.

To find our failures we do not have to point to marijuana, the youth drug culture, drug-dependent Vietnam veterans, or heroin epidemics. But we ought to be troubled indeed when we concern ourselves with these latest outbreaks of drug disease.

The risk of terrible drug epidemics is very real. In February, the District of Columbia Narcotics Treatment Administration estimated that the number of heroin addicts in the nation's capital had risen from 1162 to 16,800 in eighteen months. In a three-square-mile section of the black ghetto, it estimated that from one-fourth to one-third of the young men between ages 15 and 24 are heroin addicts.

In such neighborhoods heroin rules more absolutely than any tyrant. It turns human beings into thieves and prostitutes preying on their own people. It hooks children, cheats them with the promise of instant gratification and escape, and rewards them with destruction. The result is human wreckage and whole cities gripped by fear of the crimes perpetrated by the addicts' compulsion to obtain money to buy drugs.

It can happen here. Epidemics of such magnitude have not spread in Illinois, but the risks are ever-present.

It is not an exaggeration to say that we face the danger of losing much of a whole generation — through heroin, through mind-warping hallucinogens, and through the alienation of a "soft" drug culture.

There is so much that we do not know, about the drug problem, its causes, and its cures. Our children know more about drugs than we do — they have more knowledge of the illicit drugs, and they watch more alertly the drug advertising that surrounds us with easy cures for everything.

Much of our uncertainty comes from the realization that drug abuse is deeply rooted in anxieties which derive from all the things that are wrong with our society — too-rapid change, the bigness and impersonality of our institutions, deterioration of the family, the decline of religion, shifting values, hypocrisy, disregard for justice. The junkies and drug freaks are witnesses to our civilization. In the end, we may do more about drug abuse by addressing the challenges of social justice than through specific drug abuse efforts.

Yet, we cannot afford to leave the drug problem to more general attempts at social reform, for drug abuse has been greatly intensified by our technological civilization and requires a specialized response. Drug abuse today is a direct assault by our technology.

Technological advances have given us far more varied, more concentrated, and more dangerous drugs. We are experiencing a bewildering deluge of chemical substances. Our chemical technology is out of control. We do not have the values or the social controls to cope with the decisions which confront us.

We must create such controls, and develop the will and judgment to make them work — not simply by imposing them, but by making others understand and support our public policies toward drugs. This will not be easy.

I do not mean to suggest that the situation is utterly bleak. We have made progress in Illinois, and we have established the framework and the mood to make more progress. Let me mention some elements holding general promise.

This assembly and this administration have not indulged in simplistic punitive reactions to drug abuse. Two years ago, you enacted and I signed a law reducing the penalty for possession of a small amount of marijuana to a misdemeanor in the case of the first offense — thereby assuring that the penalty was not more harmful than the crime in this most common drug violation.

In expanding our methadone program, which is respected throughout the world, we have made a reality of treating narcotic addicts not merely as criminals but as human beings with a disease requiring treatment and rehabilitation. Our prisons have established a meaningful program of drug rehabilitation. The Illinois Law Enforcement Commission helped launch Project Straight Dope, a national model of effective drug abuse advertising, and supports other innovative drug abuse efforts.

The state's enforcement efforts through the Illinois Bureau of Investigation have been aimed at the pushers, not at drug users who could be exploited as easy marks for arrest and conviction. Out of 458 drug investigations in 1970, there were 514 arrests and almost all were drug sellers or would-be sellers. Ten major illicit drug distribution operations were broken, including rings involving Bloomington, Champaign-Urbana, Chicago, Des Plaines, Galesburg, Kankakee, Peoria, Rock Island and Springfield.

This is a beginning. Today I am asking your help to build on the record we have made to date.

Let me emphasize that I do not claim to offer assured solutions to the drug controversy which confronts us. But I can point the way to the reforms that commend themselves to my administration, and press others to face the issues that are there.

And in this endeavor I submit that we elected leaders, as well as those we would help, might heed the lesson we all should have learned in reaction to the drug advertisers: There is no instant remedy. There are no instant cures. There will be no instant success.

But there can be real progress.

Recognizing these troubling realities, it is with a deep sense of concern that I present the administration's drug abuse program for your consideration.

A Uniform Drug Law

The central vehicle for our legislative program is the proposed Uniform Controlled Dangerous Substances Act which has been developed by the National Conference of Commissioners on Uniform State Laws in cooperation with the U.S. Department of Justice. This bill seeks to revise, recodify and modernize the laws affecting narcotics and dangerous drugs, making them consistent among the states and with federal law. The proposed uniform bill has been conformed, where possible, with the major federal drug legislation enacted in October, 1970.

Building on the proposed uniform bill, we have compiled a comprehensive revision of the Illinois laws affecting drug abuse. The matters covered include regulatory classification and control of drugs, redefinition of the drug crimes, reform of the penalty structure, clarification of enforcement procedures, improved authority for research and treatment, allocation of responsibilities among state agencies, and refinement of the legal terms governing drug use and abuse.

Uniform state provisions which conform to federal law are particularly useful in those matters requiring interstate or federal-state cooperation. The control of drugs to prevent their diversion into illegal channels virtually demands such cooperation. Distribution is interstate, regulations should be consistent, the activities of the regulators should mesh, controls must be thorough, and regulation is more efficient and effective if the regulatory laws and policies are uniform. Our bill accomplishes this as fully as possible.

The uniform bill will also be more flexible in controlling drugs. It proposes five classes or "schedules" differentiating the various chemical substances dangerous to humans according to degree of danger, medical usefulness, potential for abuse, and other relevant criteria. As experience develops, substances may be reclassified or dropped from the schedules if such action is advisable. New substances can be added to the schedules as technological advances bring forward new drugs.

We do not espouse uniformity just for the sake of sameness. There are matters which do not require uniformity and on these the states should go their own ways. For example, we have not included the so-called "no-knock" provision contained in the federal bill and suggested in the uniform bill, because we do not believe it will be necessary in Illinois.

We have also departed from the uniform bill in the penalty structure we propose. We believe that, on the difficult question of the most effective drug penalties, the various states may have different problems. The states are especially suited to try different ways to find the best approach to problems such as marijuana.

Reforming the Penalty Structure

I am proposing to you a new penalty structure for drug crimes in Illinois. I believe it is a better system of penalties.

It is tougher, more realistic, and more humane.

1. It is *tougher.*

It is tougher on those who deserve it — the criminals who traffic in drugs, especially with young people.

— The big traffickers, those who deal illegally in very large quantities of the most commonly peddled illegal drugs, are subject to stiff mandatory minimum penalties: 10 years for distribution and 3 years for possession of a large quantity.

— It is tougher on those who distribute drugs to youths under 18 and more than two years their junior — authorizing double sentences for such corrupting conduct.

— It is tougher on the leaders and financiers of the organized criminal drug traffic in the very dangerous drugs — requiring forfeiture to the Common School Fund of all assets used to sustain their illicit conspiracies, as well as sentences of 10 years to life.

2. It is more *realistic.*

It classifies drugs more realistically for penalty purposes, treating distribution violations differently from possession, separating distribution of marijuana and hallucinogens from distribution of addictive narcotics, and penalizing distribution of dangerous amphetemines and barbiturates as felonies rather than misdemeanors. Possession of large amounts of common illicit drugs — quantities large enough for major trafficking and not just individual use — is treated as a serious crime because of the clear threat of distribution to others in our society.

3. It is more *humane.*

Young first offenders with marijuana — youths 18 or under who are found in possession of two to five grams or less — may be given conditional probation without entering a judgment of conviction. If they complete their probation successfully, they are discharged without a conviction which would appear for life on their record. The maximum penalty for non-profit marijuana violations involving two to five grams or less is reduced from 1 year to 6 months, if it is the first offense.

For simple possession of all drugs, discretion is given to prosecute cases either as misdemeanors or as felonies, permitting flexibility in punishment to allow consideration of the danger of the drug, the circumstances of the offense, the nature of the offender, and other factors appropriate in possession cases.

New Measures Against the Illicit Traffic

In addition to the general strengthening of control over the illicit drug traffic which we believe will come with the uniform law, we are proposing several special measures aimed at the organized drug traffic.

One would make calculated criminal drug conspiracies a special crime with heavy penalties — 10 years to life if the offender has a prior conviction for a serious drug felony. This crime would apply to those who organize, direct, finance or obtain substantial profit from a conspiracy with two or more other persons which includes a felony involving the most dangerous drugs. It is aimed directly at the directors and financiers of major drug peddling.

A second proposal aimed at the substantial pusher is the creation of special crimes with stiff sentences for violations involving large quantities of the illicit drugs seen most commonly on the street. An important aspect of this approach is that it extends to possession of these large quantities — for example, 30 grams of heroin, the equivalent of about 100 "nickel" bags for retail peddling to addicts. Frequently it is difficult to prove attempted sale by these large pushers, but possession of such quantities alone will sustain conviction of a dangerous criminal and require a heavy sentence.

Another improvement in our enforcement machinery includes administrative inspection warrants to strengthen inspection of commercial drug manufacturers and distributors to control diversion from legal distribution channels into the illegal market. We also propose broadened forfeiture provisions.

Treatment of Addiction

The most vicious drug problem in Illinois is addiction to heroin.

Beginning in 1968, the Department of Mental Health, with the invaluable collaboration of the University of Chicago, and the advice of the Narcotic Advisory Council began to operate its pilot program to determine which of a number of proposed approaches to the treatment of heroin addiction are best suited to the needs of the state of Illinois. The approach was to evaluate a number of different treatment techniques in terms of concrete results, such as the decrease in illicit drug use, productive activity, decreased anti-social activity, and overall cost.

At the start of 1969, there were a few more than 100 patients in treatment, all as outpatients. In July, 1969, there were about 300 patients in treatment, 30 per cent of them in full-time residential settings. By July, 1970, there were more than 900 patients in treatment.

Now the Illinois Drug Abuse Program treats more than 1600 patients in 21 facilities, seven of which have residential capacities and 10 of which are operated by private organizations who have contracted with the Department of Mental Health. While in treatment, the patient can take advantage of rehabilitative programs that are being designed to suit his individual treatment needs.

This use of multiple approaches within one coordinated administrative structure — a system pioneered by Illinois — not only benefits the patient, but also reduces the inefficiency and destructive rivalry which often characterizes the operation of single-method treatment programs operated by administratively autonomous agencies.

Mindful of the extent of the drug problem and faced with a waiting list, the state plans to increase its supported treatment facilities to 27 and the number of patients to 3,000 as fast as this can safely be done. The goal is to accomplish this by July, 1972, with the funding requested in the proposed 1972 budget.

The success of the Illinois Drug Abuse Program has been demonstrated in several ways. Among treated patients, illegal activity — a way of life for the narcotic addict — has been decreased 71 per cent, as indicated by the best data available to us. Employment has correspondingly increased 73 per cent. Most patients are now able to control their drug intake to such an extent that in any given week, 78 per cent of them have not used any illicit drugs. These figures are especially encouraging since they are based only upon outpatients.

Although the program was primarily concerned with the treatment of heroin addicts over its first two years, it is now becoming increasingly involved in providing services for young people abusing other types of psychoactive drugs. Five state-supported facilities are currently providing help for the so-called "young poly-drug abusers" who have voluntarily sought treatment. The objective of these programs is to expose young people to possible options to their drug using behavior, without purporting to impose upon them a style of living that they may feel is alien.

The fundamental goal of this administration is the development of sufficient resources so that treatment is immediately available to any drug user residing within the state. Under such circumstances, there will be little basis for the claim that criminal activity was necessary to avoid withdrawal sickness, since treatment will be an alternative to the purchase of illicit drugs. It is my conviction that it is not only better but cheaper for society to treat all addicts seeking help than to allow them to fend for themselves in the underground culture in which they now exist.

A recent analysis of 81 addicts by the Methadone Maintenance Clinic at St. Luke's Hospital Center in New York City reveals some sobering statistics which bear on this issue. In the year before their entry into the methadone clinic, according to Dr. Paul Cushman, Jr.:

> "Interviews show that the 81 used approximately $900,000 worth of heroin, or nearly $11,000 each. Over half the heroin was obtained by selling the drug to others. In most instances, the patients sold freshly purchased drugs at least once daily to regular customers, whose cash payments would permit the purchase of more heroin. The seller would normally inject himself with heroin not sold.

> "The 81 addicts interview obtained $258,000 worth of heroin through the sale of stolen property. Since the fences who would take the property usually remitted only a fraction of the fair market value of the property, the actual loss to society was much greater than $258,000. Accordingly, an attempt was made to determine the fair market value of the property actually stolen. It appears that in the recent 12-month period the 81 addicts stole goods worth about $720,000 at the marketplace. The interviews also showed that additional sums were stolen for living expenses."

There is no way of calculating the human suffering caused — to themselves and to others — by these addicts.

Our goal is to minimize this devastation by giving every addict a chance to get into the Illinois program, instead of being victimized by the crminal traffickers on the streets. We are seeking to achieve this goal in 1972.

"Once an addict, always an addict" need no longer be the bleak truth it once was.

Alcoholism

Alcoholism is a problem of large dimensions. We have estimated that 20 per cent of the adult admissions to state mental health facilities have a primary problem of alcoholism, and the figure is not getting smaller. In an effort to reverse this disturbing trend, we are making a strong new commitment in this area.

For our programs dealing with alcoholism, I am recommending the allocation of $6.8 million next year. This is nearly 50 per cent more than the level of the current year. Included in that figure is a substantial increase in the level of grants to community-operated agencies, which are engaged in education, referral, counseling and, in some instances, the operation of halfway houses in conjunction with local mental health clinics for outpatient treatment.

The primary emphasis of our state-run alcoholism activities will be on a shortened period of hospitalization and intensive treatment geared to complete rehabilitation. We are reevaluating the costly program of purchase care of emergency hospitalization for this purpose, with an eye toward more fully utilizing the alcoholism units already in operation at our mental hospitals and zone centers.

Research

No individual state can single-handedly take a primary role in drug research generally. That role must be left to the federal government and our great research institutions.

But the state of Illinois can continue its leading position as a demonstration and proving ground for applied research. The Illinois Drug Abuse Program does not view itself as merely a treatment agency, but rather as a total system that also can effectively provide the community with the educational and research information it needs to cope with the problems of drug abuse.

Our methadone program pioneered in showing the effectiveness of new techniques for combatting heroin addiction, and we will continue to stress innovation. For example, a new drug, acetylmethadol, is being tested as a possible replacement and improvement upon methadone. There are indications that it may give longer relief, increase the number of patients handled, and minimize the risks of diversion and overdoses of methadone. If early indications are confirmed after more extensive research, this substance will further facilitate rehabilitation without increasing risks to the community.

The state can also improve the climate for research on drug abuse. The legislation we propose would do this by providing that the confidentiality of the identity of research subjects, under authorized research projects, could be preserved inviolate.

We also propose legislation authorizing urine tests for persons arrested, to permit factual research into the relationship between crime and drug abuse, and authorizing the drug abuse program to obtain arrest records of its patients to permit thorough analysis of the medical and social successes and failures of our treatment efforts.

Marijuana

Although I have touched previously upon marijuana, I would like to discuss that subject directly, because of the special concerns it raises at this time.

In my judgment a case has not been made for legalizing marijuana.

There is too much we do *not* know about its immediate as well as long-term effects. And there are beginning to be more scientific assertions of its harmful possibilities.

There are many varieties and mixtures of "marijuana." Each can be greatly affected by its content of active ingredients and by additives and contaminants. Some individuals appear to have unusual reactions, and sometimes these may be harmful. The intensity and the duration of use appear to have an important impact, and may produce significant psychological changes. The long-term physical and mental effects of marijuana are little known, but certainly in light of what we do know, they are cause for concern and great caution.

There is room for legitimate controversy over the meaning of some of the research that has been done. Yet based on what we know today, it appears that marijuana can be dangerous to personal and public health. The demand for drug-freedom should not take precedence over the reality of possible harm.

It also appears clearly that we were guilty of overkill in the way we punished and criminalized marijuana users in the past. We must stop driving young men and women toward the dangerous criminals who thrive on the addictive drug culture. I think it is important that we work thoughtfully to straighten out that mistake.

It is important for the users — our young people with their futures ahead of them. But it is equally important for our society and our institutions of government.

The authority of our laws and the institutions that stand behind them depend upon their being responsible and equitable. What is at issue is the credibility of government, the legitimacy of the authority that holds our society together. In this perspective, fair and workable marijuana laws may be more significant for the majority who have never thought of trying the drug than for those who do experiment with its use.

It is for these reasons that I have recommended that the distribution of marijuana be punished under a different penalty structure than narcotic drugs, and that conditional probation be authorized to avoid a criminal record for youths involved with small amounts of marijuana. For these reasons I am recommending that the maximum penalty for a first conviction involving small amounts of marijuana be reduced from 1 year to 6 months.

* * *

There are many proposals concerning drug abuse pending before this assembly. These deserve the most careful attention from all of us, for in the light of experience only the foolhardy will claim to have the *only* solutions for drug abuse.

The administration's recommendations are submitted as solid, common-sense proposals — not the panacea, but the most complete, sensible and effective reforms we can offer.

I ask your cooperation in reviewing them, and I pledge you mine.

CHILDREN

THURSDAY, MAY 6, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the 77th Illinois General Assembly:

Hundreds of children will visit our state Capitol today. They will laugh, and listen, and learn. They will learn of the bravery of Blackhawk, the determination of Stephen Douglas, and the greatness of Lincoln. Later, as they approach their adult years they will remember what has gone before, and they will begin to make their own contribution.

In schools across this state today, other hundreds of children will sit too hungry to concentrate. On the West Side of Chicago, a small, hungry child will eat the painted plaster of a crumbling wall. In East St. Louis, a hundred children whose parents have abandoned them will continue waiting for permanent homes. In a suburban doctor's office, a child will be stitched up after a parental beating.

These children, too, will later look back and remember. And we may fairly conclude that they will make a far different kind of contribution.

In Illinois during the past two years, we have tried to give these children something better to remember. We have accomplished some of what we need to do. Much more that is needed has not even been begun.

In this message, I offer for your consideration what has been accomplished and the further measures I feel are necessary to give more Illinois children a chance.

* * * *

On any given day in Illinois, nearly 400,000 children receive some kind of specialized assistance from state government. Over the course of a year, more than 11 per cent of the four million children of our state will be assisted by the state. These services supplement those the children receive in our school system.

The assistance might be specialized therapy arranged by University of Illinois experts on crippled children. It might be training in Braille. It might be advice from a parole officer or treatment for a mental illness. Or it might be placement in a foster home.

These are the kinds of services state government has traditionally provided for the children of Illinois. The need for these programs continues. But new needs and new problems have developed — situations that cannot be ignored. They are the kinds of problems that are not easily solved, and the solutions involve considerably more than simply hiring another teacher or locating qualified foster parents. They are the kinds of problems that require new systems for governmental action and re-examination of established attitudes and responses.

Some of these new problems are not limited in their scope by race or by wealth. Drug abuse, which I discussed in a previous special message, is as great a threat to the middle-class family as it is to the children of the ghetto. Family disintegration is not limited to the poor. The multiplying rate of divorce and the increasing number of runaway parents now mean that one of every 12 Illinois children will grow up with one parent or none at all. This ratio increases considerably when only the children of the poor are considered.

Abuse of children by their parents, a problem as difficult to comprehend as it is to solve, is similarly pervasive. Reports of injured children come from doctors, teachers and police in rich and poor communities alike. And reports of mental or emotional injury are increasingly frequent.

The more difficult of these new problems are the problems of poor children. They find themselves entering a cycle of dependency that is now producing third-generation welfare recipients. It is a cycle that sometimes seems impossible to break. A ghetto child's bleak subsistence smothers initiative. Thus, if we are to break the cycle, we must focus our effort on the children. We must expand their horizons and enrich their expectations. Only then can we expect a young adult to achieve independence. It is a complex job. A complicated mass of problems lands hardest on low-income children. Their housing is decrepit. Their schooling is frequently substandard. Their outlook for employment is bleak. And even the transportation system sometimes seems designed to crush opportunities for self-improvement.

In Illinois we can be proud of what we have done in the last two years to ease the burdens of these children. Aid to families with dependent children (AFDC) is a program for children. More than 75 per cent of its recipients are children. We have supported them, increasing the investment from $175 million in 1969 to $453 million in 1972. Illinois can also be proud of its support of elementary and secondary school education. In two short years, state support of local schools has increased 73 per cent. In Chicago and other cities in our urban aid program, the increase has been even bigger. In two years, the state's support of Chicago schools has more than doubled, rising from $86 million to $176 million. Some of the more basic problems of the welfare system will be considered in a subsequent special message on welfare, but it is also important to give special emphasis now to the welfare system's impact on our children.

School Lunches

A nine-year-old boy in Chicago recently told a newspaper reporter: "Only time my mother don't feed me is when there's no food." The nine-year-old was not angry. He did not yet resent anything. He naively assumed that if there was no food for him, there was no food for anyone. What children do not know is that food may be lacking because a welfare check was stolen or because a mother has been confused by the food stamp program's red tape.

The problem of hunger has been with us long enough to have developed its own politics. The agony of recognizing the existence of hunger amid affluence, and the bewildering complexity of any federal-level food program have resulted in numerous conferences, debates and conclusions.

In Illinois we have shared the agony, and we have attended the conferences. But we have also done something about hungry children. In the first budget I presented to the General Assembly after taking office, I sponsored a school lunch program that required free lunches for every needy student and paid to school districts 15 cents for each free lunch served. More than $5 million was appropriated. In the current year, we added a free breakfast program with a $1 million appropriation. Another $5.75 million was appropriated for the second year of the school lunch program.

These efforts have, in less than two years, increased the number of free and reduced-price lunches served to needy school children by 700 per cent:

School Year	Number of Free and Reduced-Price Lunches
1968-69	7,108,501
1969-70	35,742,965

In the Chicago school system, the number of *free* lunches increased from 8.4 million in the 1968-69 school year to 20.4 million in 1969-70.

In January of 1970, the Chicago school system was reported to have 46 schools in low-income areas without food service. By September of 1970, the state reimbursement program was feeding 10,000 needy children in these schools.

Another way to measure the success of the program is to compare the number of free meals with the number of school children in families receiving AFDC. In 1968 only 18 per cent of these children were receiving free and reduced-price meals. In 1970, more than 95 per cent of these children were receiving both lunch and breakfast.

In less than two years, in short, Illinois has moved from number 40 in the national ranking of lunch programs to a position among the five best states in the country.

Gaps remain. There are no meals on weekends and during the long summer vacation when children are not in school. In cooperation with the superintendent of public instruction and the federal government, we must create a program for feeding needy children when school is not in session. We must also take steps this year to expand the school breakfast program, moving it to a level commensurate with the school lunch program. Adequate appropriations have been requested for the program, and they merit your support.

Day Care

Day care is not new — the first permanent day care center in this country was opened in 1863 for children whose mothers were needed to sew uniforms and bandages for Civil War soldiers. During the Depression, centers were established to provide a healthier environment for children of destitute families. These centers also provided much-needed employment for teachers, nurses, and other professionals. The need for "womanpower" reached its peak during World War II, when grants of federal money were made available to states to help establish day care programs.

But there are new elements in today's day care, and they have produced a new kind of day care. Employers have begun to provide day care for the children of their women employees. The movement for women's rights and the increased respectability and need for a career outside the home have contributed to the changing nature of day care. Most important, however, are the growing recognition of the importance of early childhood development and a changing notion of the best method of helping welfare families. At every income level, American families are realizing the value of educational day care for pre-school children. It is increasingly considered a necessary supplement to a healthy family environment. At the same time, it is now recognized that the idea of supporting the welfare mother to keep her at home with her children helps no one. The mother has just enough to continue where she is. And she has no way to pull herself or her children to independence.

When I took office in 1969, the need for this new kind of day care was acute. Welfare costs were beginning to increase severely, and the state had not yet begun to take advantage of one of the few workable answers to the problem. There already were nearly 220,000 working mothers with children less than six years old, and many of these children were left all day without care or supervision.

In the early months of this administration, legislation was formulated centralizing the state's day care effort in the Department of Children and Family Services. Our progress since then has been remarkable, in my judgment. The number of licensed day care *homes* has increased more than 18 per cent, and their capacity by nearly 25 per cent in the past year alone. These homes, which are licensed to accommodate up to eight children, not only offer qualified day care but they also give low-income mothers a chance for rewarding use of their talents. The overall capacity of all licensed day care facilities has increased by nearly 10 per cent.

While encouraging the development of these new day care centers, we have also begun to develop new approaches to the early care of children who are born into poor families. In two experimental day care centers operated by the state, valuable experience is being developed. At the Lawndale center in Chicago, a cadre of child care specialists is developing new answers to the problems of administering day care centers. Their experience will prove invaluable in the state's broader efforts to develop and assist other centers.

In the Woodlawn community of Chicago, another day care center is the focal point of a bold experiment in state-supported community action. A Parent's Council guides the operations of the center and provides an avenue of communication with the community. The center, which is a part of the state's Woodlawn Service Program, is operated by a staff of community workers who are being trained in the techniques of day care. In addition to operating the center, the Woodlawn staff will develop home centers and summer programs in the community.

The 10 per cent increase in licensed day care facilities and the operation of the Woodlawn and Lawndale centers have given the state a good start in meeting the need for day care. But we must maintain our momentum and increase the rate of growth. To accomplish these objectives, I am proposing five matters for your consideration.

First, I am increasing the originally budgeted $3.9 million for day care in the Department of Children and Family Services by $15 million. This increase will be earmarked specifically for day care in Model Cities areas and other low-income neighborhoods. It is made possible by a unique combination of state and federal programs recently developed by this administration. Using $3.75 million of Model Cities and private money as a part of the state's matching share, Illinois will become eligible for $11.3 million in federal reimbursement for programs assisting former and potential welfare recipients. More than 7,500 day care spaces for needy children will be developed with this money.

Second, I am supporting legislation liberalizing the state's grants to private groups seeking to develop or to expand community day care centers. Under existing law, the department's grants are restricted to 50 per cent of the first year's cost, 25 per cent in the second year, and 10 per cent in the third. The total of all state grants for a single year cannot exceed $750,000. The success of day care centers now in operation has eliminated the need for these restrictions, and I urge your support of the current legislation.

Third, we have developed a $2 million program for starting day care centers in 11 Chicago Housing Authority projects. Each of the centers will accommodate 100 children, and they will provide staff jobs for persons now without work. The first of these centers, which will be operated by the CHA and by private non-profit groups, will be opening immediately.

Fourth, I am supporting House Bill 1066, which will give the Department of Children and Family Services the authority to establish and to operate day care centers for migrant workers. The language barriers and the difficult transportation and health needs of these children cannot be accommodated within the usual structure of a state-assisted private day care center. I therefore urge your support of this urgently needed measure.

Fifth, I am asking for $7 million in grants for day care for mentally retarded children, an increase of more than 100 per cent over the amount that will be spent this year. These funds will enable the Department of Mental Health to finance the kind of early treatment and therapy that will bring these children closer to independence. I am also asking a substantial increase in day care funds for children suffering from mental illness. With these two large increases, day care for nearly 7,000 children will be supported by the state, an increase of 1,500 over the current year. Over a three-year period, the number of children cared for under these programs will have increased by nearly 150 per cent.

Preserving the Family

One of the traditional aims of social service is to prevent the breakup of the family. Trained caseworkers who have seen the same problem before can often help a family through what appears to be an impossible situation. It might be resolution of a marital dispute. It might be help in finding assistance for a mentally retarded child. It might be assistance in home management and budgeting. Or it might be family planning service.

For several years in Illinois, these basic services were underfinanced. Many families went without the counseling that could have kept them together. The cost was high, both for the children wrenched from the home and for the state which assumed their support. Beginning in 1969, we began to give these preventive services the attention they deserve. The budget of the Department of Children and Family Services has been increased by 96 per cent in two years. The department is now answering 70 per cent of the total requests for service instead of the 37 per cent it was able to answer in 1968. For 1972, I am asking for a further appropriation increase of 38 per cent to allow the department to consolidate its gains and to extend its service to more problem-ridden families.

In the three years budgeted by this Administration, this Department has received the largest overall percentage increase, a jump from $36 million in 1969 to $82 million in 1972. By the end of the next fiscal year, the number of state employes devoting their efforts to children and families will have increased by nearly 1,000.

— Child Abuse and Neglect

In 1968, the Department of Children and Family Services received 3,500 new reports of suspected cases of physical abuse, neglect, or exploitation of children. The reports came from doctors, teachers, policemen, and the courts. Only about 50 per cent of these reports were answered — the department's overburdened caseworkers were unable to do anything but file away the rest. In the 1970 budget, we began giving the department the resources necessary to answer these pleas for help. Funds for 55 social workers were added in 1970, and funds for another 290 are being added in the current year. With these new caseworkers the department has been able to respond to nearly 90 per cent of the cases.

In addition to these new caseworkers, the department is developing new techniques for dealing with families whose children are neglected or abused. Under a special arrangement with the Juvenile

Protective Association (JPA), a voluntary agency in Chicago, the state will use the Bowen Center as a training site for its employes, thus giving Illinois children the benefit of invaluable JPA experience with neglected and abused children.

— Foster Care and Adoption

In some cases, even the best preventive counseling cannot work. Youngsters whose parents are dead, hospitalized, imprisoned, or beyond rehabilitation need a new start in a new home. Illinois in the last two years has given these children a better chance through improved foster home and adoption programs. A variety of living arrangements is available for children separated from their natural parents. Selection of the type of care for a child is based on individual needs, an assessment of the chances for rehabilitating the family, and a determination of the child's chances for adoption.

During the past two years, the state has developed a more effective network of foster homes for care of children. Boarding payments have been increased to allow adequate compensation of the state's dedicated foster parents. Specialized foster homes providing intensive care for physically handicapped and emotionally disturbed children have also been developed.

The real answer for many of these children, however, is adoption. This gives the child the love of adoptive parents in a permanent home, ends the state's intervention, and saves the cost of continued institutional or foster care. The state has doubled the adoption service capability of the Department of Children and Family Services within the past two years. More than 1,200 adoptions will be completed during the current fiscal year. If those children had remained foster children, their care until age 18 would have cost the state $42 million.

More than 60 per cent of the children placed for adoption by the state are so-called hard-to-place children — physically or mentally handicapped, more than two years old, or of minority or mixed race background.

Another 150 children have been placed through the subsidized adoption program which I authorized in October of 1969. This plan has enabled foster parents caring for hard-to-place state wards to adopt these children while remaining eligible for state financial help at a reduced level. The payments to the family must be less than the amount the state would pay for foster care. Projected savings to the state for this relatively small number of children are approximately $1 million. More important than the dollars saved is the bond of affection which now joins the members of these families.

One of the nagging gaps in the foster care and adoption programs has been the lack of an appropriate place for a child between the time of the breakup of his family and permanent placement. In many cases, temporary institutional care is necessary to help the child through a difficult adjustment. To fill this gap, I am this year asking $682,000 to establish two temporary care facilities, one in East St. Louis and the other in Chicago. These two centers will double the state's capacity for temporary care and will provide a firm basis for well-considered placement of children.

Lead Poisoning

Almost every day in Chicago a child of the ghetto is brought to a hospital in convulsions. Back in his apartment in the wall around his bed are the gougings of a child too hungry to sleep. The painted plaster he dug out of the wall and ate is probably lead-based, a lethal leftover from previous occupants of the building.

On the near south side of Peoria or the Stony Creek Bottoms of Danville, the same thing could occur. Many downstate doctors think it will not happen. I am not going to sit by and hope the doctors are right. We cannot take that kind of chance with our children. I am ordering the Department of Public Health to supplement the state's support of the Chicago lead poisoning program with a detailed survey of downstate areas where lead poisoning may be likely. Nearly 4,000 children will be tested in several cities. Samples of paint will be tested in selected buildings. With the results of this survey, we will be able to determine the nature of the problem before it becomes acute, and we can set a course for effective action.

* * * *

When I came into office in 1969, there were children in Illinois with no place to go. There were parents who could not find help. In the last two years, we have started to provide some help. I am proud of the beginning we have made. But much more must be done. I urge your support of this program for giving more Illinois children a chance — for themselves and for Illinois.

WELFARE REFORM

THURSDAY, MAY 20, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the 77th Illinois General Assembly:

The failures of this nation's welfare system are failures of historic magnitude. The example of Imperial Rome may prove to be prophetic for us.

Welfare is warping our nation. The President did not overstate the crisis when he called the system "a monstrous, consuming outrage."

It is a human outrage and a fiscal monster. It robs the poor of their dignity, and the taxpayers of their hard-earned dollars.

The welfare system embodies all the worst of our failures—moral, fiscal, administrative and legal.

Where in the system do we find charity, service, work, dignity, respect and responsiveness?

Think of the children whose lives are being distorted by this hopeless environment, and what that means for the future.

I do not propose to offer any simplistic solutions to this tragic and complex problem, for "easy" solutions are flights from reality. It is not enough just to condemn deadbeats, to blame the southern states, to propose miraculous increases in benefits, or to indulge in other forms of oversimplification.

The Congress has considered this issue for two years, yet the impact of any action it may take now appears to be several years away. Meanwhile, we must act to solve our own problems as best we can.

This is the challenge we face. It is a challenge to be met before this General Assembly completes its work on pending appropriations on June 30.

THE PROGRAM

The program I am proposing today embraces manpower, medical and administrative changes. It has 11 major parts:

1. A strengthened work requirement for all able-bodied recipients of welfare.

2. Creation of new jobs in public service to make use of this work force.
3. New training, day care and other backup support for job placement efforts in all parts of the economy.
4. Revamping of our least effective program — General Assistance — to permit funds within the welfare budget to be shifted to job-related programs.
5. A clamp-down on the escalating cost of the medical assistance program.
6. Tightening of welfare procedures to prevent improper use of public funds, and even the appearance of impropriety.
7. Simplification of our absurdly complex system of welfare administration to free caseworkers to concentrate on essential services.
8. Administrative efforts backed by strong sanctions to secure all available existing federal funds.
9. Development of a long-range program to improve family planning and family stability among our low-income population.
10. Top-to-bottom restructuring of the entire social service function of state government at the earliest opportunity.
11. Reform of our basic private laws to insure that every poor family has legal and economic rights equal to others in our society.

In all, execution of these 11 major initiatives will require completion of dozens of separate but interrelated actions which I am outlining today.

Before discussing these initiatives in detail, however, it is important to understand the nature of the situation in which we now find ourselves.

THE FISCAL CONTEXT

Two years ago at this time, the members of the General Assembly were beginning legislative hearings on the income tax.

After extended debate, that tax was enacted with bi-partisan support. It was designed to provide — and should have ensured — revenues adequate to finance this state during a period of rising costs extending beyond this fiscal year.

Had it not been for one factor, Illinois today would possess resources sufficient to provide ample funds for the schools and the other major programs that we all desire for our state.

That factor — which overshadows every other fiscal consideration — is the runaway cost of welfare.

The demands of welfare are producing a crisis in Illinois state financing which is every bit as serious as the crisis which led to passage of the income tax.

Even with the income tax, state revenues grow less than 7 per cent a year, while expenditures in state government typically rise between 10 and 15 per cent a year.

This increase results in part from the requirements placed upon state government by a population which more and more demands improved health services, better education, additional recreation lands, and the other vital services that government can provide.

The welfare budget, by contrast, has increased by approximately 30 per cent in each of the past two years.

This year, the welfare budget will exceed $1.12 billion, *double the amount of three years ago.*

The growth of welfare costs will absorb 85 per cent of the growth in all state revenues during the coming fiscal year.

If we are unable to secure relief and if current rates of increase continue, the welfare budget next year *could well exceed $1.5 billion.*

* * *

The single most important change we must make is to reorient the welfare program to the concept of work.

Altered federal regulations and the recent economic downturn have greatly reduced the significance of work as an element in the total welfare program in Illinois. In the early 1960s, work relief programs were common. With the advent of the Work Incentive (WIN) Program in 1967, Congress in effect prohibited work relief programs for persons receiving aid to families with dependent children (AFDC). As a result, the former programs all but vanished.

The recent economic situation has compounded the problem by bringing more persons onto welfare rolls and by making it more difficult for those who are on welfare to get off.

All of this has occurred at a time when people are becoming more aware of the need for expanded services, better health care, a cleaner environment—in short, at a time when there is much to be done.

The program I am proposing today is founded on the old-fashioned notion of working for a living.

This reflects no conclusion on my part that welfare recipients are less inclined to work than are other members of our society. The program, instead, stems from my conviction that so much needs to be done in our society that *every* able-bodied citizen should be hard at work. And I include in this number the persons who are receiving welfare assistance from the state.

For this reason, the program I am proposing today rests on the fundamental requirement that all recipients of public assistance who are *able* to work *should* work. And for the first time, we are offering a realistic opportunity for them to do so.

1. Strengthened work requirement.

To enable this emphasis on work to be effective I am proposing the following requirement:

Each applicant for welfare benefits will be examined for employability before assistance is given. "Employability" should be redefined so that the burden is shifted to the recipient to prove that he is *un*employable. Present definitions of employability are vague and scattered throughout the statutes. They should be combined and revised so that each recipient is clearly classified as either employable or unemployable *before* he goes on the rolls. Persons who are temporarily incapacitated, in full-time attendance at an approved educational institution, or required to remain at home for family reasons will be classified as "temporarily unemployable." Their cases will be reviewed every six months.

Regular efforts will be made to place recipients in available jobs. Under present conditions once a person goes on welfare he is rarely visited by a caseworker. He receives his checks by mail. We will require all employable recipients in metropolitan areas of the state to visit a state employment office at least once a month to pick up their checks. At this time, they will meet with employment counselors. Rural recipients will make similar visits to appropriate offices.

The work requirement is to be strictly enforced. The Department of Public Aid last year dropped only 60 persons from the rolls because they refused a job opportunity. We hereby serve notice that any recipient who refuses work will be summarily denied further benefits.

2. New public sector jobs.

The work requirement I have proposed will have meaning only if there are jobs available. In the present economy, it is evident that not enough jobs are available in the private sector to employ persons with considerable skills, to say nothing of relatively unskilled welfare recipients.

Nonetheless, there is much work—particularly in the public sector—crying out to be done. We are simultaneously doling out millions of welfare dollars to persons who could be working on these jobs that need to be done. In these circumstances, the establishment of an innovative job program is in order.

Welfare statistics provided by local units of government indicate that there are more than 20,000 employable recipients of General Assistance. This number has almost doubled in the past twelve months. I propose that a work relief program, developed jointly by the state and by local units of government, be established to provide useful and constructive employment for these persons.

Able-bodied men among these recipients will be put to work in jobs such as cleaning lakes and waterways, removing rubbish, and providing protection in the parks. Certain of these men should be employed directly by the state. The remainder should be employed by local governments.

Direct compensation for those jobs should be provided. Hourly wages should be set at levels sufficient to provide each man an amount of money at least equal to what he would have received as a welfare grant. Instead of receiving a dole, he will be compensated for services actually performed.

I am also proposing an institutional work program. Under this program, recipients will work in hospitals, nursing homes, child care facilities and comparable public and quasi-public institutions. The program will be especially tailored for AFDC recipients.

This initiative is possible because of recent improvements in the WIN program. During fiscal 1971, the number of persons trained by WIN will triple, and in spite of the economic downturn, the number actually placed in jobs should increase one and one-half times. Recognizing this dramatic progress, the federal government will nearly double the program in Illinois next year, which means training opportunities for an additional 7,000 persons.

By coordinating efforts with institutions, individuals will be trained for useful and constructive jobs which can meet some of the immediate service needs of the people of this state.

3. New training, day care and other back-up support for job placement efforts.

We can point with pride to our progress in the difficult area of manpower training and support. Nonetheless, we must do more.

The success of the new work programs will be dependent upon major organizational changes and administrative improvements within the Department of Labor.

Legislation has been submitted to combine the Welfare Rehabilitative Service (WRS) and the Work Incentive Program (WIN) to enable comprehensive manpower services in Cook County to be delivered in an effective, coordinated way by the state Department of Labor. An employability review is to be made for each recipient as fast as jobs can be developed.

This combination of WRS and the WIN program represents a new approach to the development of manpower services. In the past, WRS and WIN have *competed* to provide services to the same recipients, and this duplication of effort has been far too common. With a common effort, they can provide a strong and integrated program which can furnish manpower services better than ever before. As a part of this change, it will be possible to place the burden of the employable recipients on the Department of Labor, freeing public aid caseworkers to deal with other services.

While I believe that the proposals for employability review and the institutional work program are sound, they do not go far enough. There are too many other potentially employable persons, including 25,000 AFDC mothers with no children less than six years old who could be working. Most important, there are also 14,000 unemployed males whose families are recipients of aid under the AFDC-U category. In two key ways, we must insist upon changes in federal requirements:

1. The requirement that severely restricts work relief programs for recipients of AFDC and AFDC-U should be changed.
2. The federal government currently imposes upon the states an income-exemption formula for recipients of AFDC that is so open-ended that it is virtually impossible to terminate assistance to recipients who do find a job. In addition to disregarding $30 plus one-third of the monthly income, states must also deduct all work-related expenses. Under these restrictions, it is possible for a family making more than $10,000 per year to continue receiving a welfare check and full medical coverage as well. I am requesting a federal waiver for Illinois to limit the application of the $30 and one-third formula to an income level not exceeding 133 per cent of the recipient's grant. I am also asking that the state be permitted to define work expenses.

Changes are vital in another area. I am proposing today another in a series of measures to expand greatly the availability and use of child care so that mothers with children will not be prevented from working.

Currently, the state pays rates that are not consistent with the minimum cost of adequate child care. As a result, the rates discourage welfare mothers from finding child care for their children so that the mothers may seek work or training. Therefore, I am directing that the child care rates paid by the Department of Public Aid be raised substantially.

Not only will these higher rates provide an incentive for welfare mothers to participate in work and training, but also they will stimulate the development of much-needed day care centers in low-income neighborhoods. Three-fourths of the cost of this increase will be borne by the federal government. This investment should be repaid many times in the form of decreased welfare costs because of the increase in the number of working mothers.

4. Revamping the General Assistance program.

Undertakings of the magnitude I have proposed cannot succeed without substantial additional funds. In the past, we have assumed that a public job program would be undertaken only if more federal funds were made available.

Illinois can act now on its own, however, if we have the will to revamp our least effective and most abused welfare program.

In most states, aid for persons who are ineligible under the federally-assisted programs is administered and largely paid for on a county or local basis. Illinois follows that pattern with regard to administration, but 90 per cent of the cost is borne by the state. This is a responsibility with which I do not quarrel, but it has led to anomalous and unfortunate results.

Foremost among these is the waste resulting from minimal efforts by certain local personnel to ensure that the state money is spent wisely and properly.

Quality control reviews, for example, have indicated that the state may have been losing as much as $20 million annually in federal matching funds because Cook County caseworkers have been placing recipients on General Assistance rather than applicable federally-funded categorical programs.

Despite a work requirement which applies in theory to General Assistance in the state's most populous county, a dismal failure to enforce it has made the provision virtually meaningless.

One alternative would be for the state to take over administration of this program. But this would not be sensible for several reasons, among them that local government — not the state — has the most potential as an employer. To take full advantage of manpower which could be productively employed, programs must be run by local governmental units concerned.

For these reasons, I propose a complete revamping of the existing General Assistance program.

A first step will be an intensive review of all recipients to shift every possible case to federally-supported programs. Second, Department of Labor specialists will review all potentially employable General Assistance recipients and inventory all potential jobs — both public and private — with which they might be matched. Recipients determined to be employable will be assigned to local governments and quasi-public institutions as fast as jobs are identified.

It is important to recognize that this program can be made operable only if each local governmental unit will assume the responsibility for putting into productive employment individuals it might not otherwise hire. To provide the incentive, I am proposing that payments be made, in the approximate amount of present General Assistance payments, to local governments and suitable institutions to employ persons who are now on welfare.

This initiative will mean that state dollars saved by transferring recipients to federal programs can be shifted to more productive use. It will mean that dollars spent will be for work performed.

Because of the complexity of these undertakings, I recommend that existing public aid legislation be revised to permit these transfers to be made gradually, as the work program evolves, and at the discretion of the state director of public aid. As we progress — and as local governments cooperate by putting people to work in jobs which their citizens want done — it is my hope that all able-bodied employable Illinois citizens will be engaged in productive work.

5. Clamping down on medical costs.

The program which has absorbed the largest share of the increased welfare dollar during the past five years has been the medical assistance program. Today it accounts for more than 40 per cent of the total of state and federal welfare expenditures.

Spending for Medicaid has grown at an unbearable rate. Projected program costs for Fiscal Year 1972 are four and one-half times greater than medical assistance costs in 1966, the first year of the program — $360 million compared to $80 million. In Fiscal Year 1971, Medicaid expenditures are projected to increase by more than 40 per cent over the 1970 level, an increase almost six times greater than the growth of state revenues.

Medicaid in Illinois has provided unlimited access to most services with little or no regard for standards of need or proper levels of utilization. This program of unrestricted benefits, far broader than the coverage available through private plans to almost all the taxpayers of Illinois, has forced up the costs of care for everyone. The state is currently paying more than $800 a year for health care for an average family of four on welfare medical assistance.

In my recent special message on health care, I outlined steps to increase the availability of health care and to control medical costs generally. The development of prepaid health plans in Illinois was specifically proposed, and such plans can have a major impact on reducing the costs of our Medicaid program. We are making the initial efforts to develop prepaid health care plans in areas where large numbers of state and federal employees are now purchasing forms of health care.

Several measures must be taken now, however, to reduce abuses and over-utilization, to prevent excessive cost increases and to ensure that our dollars buy only essential health services.

1. To place some restraint on unnecessary utilization without limiting vital services, a system of co-payment should be provided which will require the person receiving service to *share* the cost on a token basis. This is a principle present in every major private health insurance plan and also in the federal Medicare program under Social Security. It is a sound procedure and should be established this year for all state-supported medical assistance programs.

Under the co-payment plan, the person receiving the health care would pay directly to the provider of care. This amount would then be deducted from the amount billed to the state. We believe a fair payment schedule for this purpose would be:

—$1 for each visit to a doctor, dentist, or other health provider.

—$1 for each prescription or pair of eyeglasses.

—$3 for each day of a hospital stay.

It will be necessary to obtain the cooperation of the federal government in making changes in its current restrictive regulations in order to accomplish this reform in Illinois.

2. The state can no longer tolerate the present open-ended method of hospital payment for assisted full cost. To encourage sound hospital management and to limit the unacceptable growth of state expenditures on hospital care, we will establish a new system of hospital reimbursement based on rates determined in advance and set for fixed periods of time.

3. More Department of Public Health medical review teams of nurses and physicians will be created to follow up patients in nursing homes to ensure that each patient is receiving the medically appropriate level of care. These teams will also review each case strictly to see that each patient is actually receiving the level of care for which the state is paying.

4. The Department of Public Aid Medical Administration will take several steps to correct instances of abuse and over-utilization by the provider or the recipient. This will be accomplished by providing a quarterly summary of expenses to both the recipient and the caseworker for verification that services billed were actually rendered, and by a computerized review of all claims. All questionable items will be screened individually by a professional review team.

5. The Department of Public Aid and the Department of Public Health jointly will conduct a program to control hospital utilization by limiting the length of stays to pre-established norms and by developing a system of advance approval for non-emergency admissions.

6. Tightening welfare procedures.

Few subjects so irritate the taxpayer as abuse of our welfare procedures—and for good reason—because the misapplication of welfare payments is tantamount to theft of state tax money.

The irony is that many of the most flagrant abuses can be attributed to defects in the system itself. Reviews of erroneous payments have revealed, for example, that more than two-thirds of what at first appeared to be abuses were in fact mistakes made by caseworkers themselves.

It is imperative, therefore, that we tighten procedures to avoid abuse. In welfare, just as in the administration of justice, it is important to avoid even the appearance of impropriety.

Today, I am ordering implementation of the following steps:

An applicant for welfare will be required to verify his economic status before receiving assistance. There is a school of thought among welfare administrators that initial eligibility determinations should be made on the basis of a simple declaration.

Although I agree that the process can be simplified, I believe also that the process should require more than the potentially self-serving statement of an unknown person walking in off the street. This situation is far different from that of the income tax, to which it is sometimes compared, inasmuch as there is substantial machinery to enforce the tax laws and, because of the withholding mechanism, the dollars involved are less. Accordingly, careful verification of address, income, and family size, through Social Security information and other documentation, will be strictly required.

The fraud detection unit in the Department of Public Aid will be strengthened by the addition of trained investigators. The new fraud detection personnel will function like inspectors-general. Additionally, I am asking court administrators to provide better facilities to judges trying to dispense justice in this most painful category of cases.

Food stamps will be denied to those who are not truly in need. Federal regulations have permitted college students perfectly able to secure support from their parents to obtain free food stamps intended for poor persons. I intend to insure that no college student receives public assistance of any kind unless he produces a signed affidavit from his parents stating they are unable to provide for his support and have not listed him as an exemption on their income tax return.

Eligibility for assistance for all recipients who are not classified as "permanently unemployable" will be reviewed every six months. Currently we are redetermining eligibility by mail. Henceforth we will require that all potentially employable persons appear in a public aid office every six months for review of eligibility.

I am confident that these measures will help stem actual and potential abuse of this system.

7. Simplifying the welfare system.

Our welfare system has evolved in patchwork fashion. Each new regulation—each new attempt to meet human needs—has resulted in program additions. Today the system is so complex that it is unmanageable by its administrators and incomprehensible to its users. Its tortured regulations fill some 3,000 pages.

Major simplification is essential if public aid employes are to perform their major tasks of eligibility determination, on the one hand, and on the other, provide the services designed to promote self-sufficiency.

The method of computation of a public assistance grant, for example, is extremely complex.

As a result, numerous computational errors are made. In addition, there are so many components of the grant and so many items tailored for special circumstances that employes spend most of their time on these matters.

I am providing, effective July 1, a complete simplification of this process. Basic needs, including food, clothing, household supplies and personal essentials, will be reduced to a single figure set by family size, with an additional amount for children more than five years old. Special needs for aged, blind, and disabled persons relating to their particular circumstances, and special needs which are employment-related for AFDC recipients will be retained. All other needs will be incorporated into the basic grant.

These simplifications will enable public aid employes to devote more time to essential tasks. It is estimated that these changes will free up as much as 50 per cent of their time. This will enable major emphasis to be placed on other matters, including the application process. Under the new program, the department can process applications within 30 days, as mandated by the federal courts, without sacrificing attention to questions of eligibility.

In addition to these administrative simplifications, I have requested in the budget for the Department of Public Aid 900 new positions for the coming fiscal year, and I have instructed the department to begin filling those positions immediately.

8. Increasing federal support.

During the past two years, I have placed high priority upon the effort to increase the level of federal aid. As a result of this effort, I was able to announce in my budget message our intention to secure for the state an additional $75 million in 1972.

I intend to conduct this search for additional funds more aggressively than ever, and in several ways.

Efforts will be intensified to secure an additional $75 million from the federal government for reimbursement for services to former and potential welfare recipients. Under federal law, a state is entitled to three-for-one reimbursement for social and rehabilitative services provided to persons who might become recipients of public aid if these services are not provided. Few states have thus far taken full advantage of this opportunity.

If we are successful, we estimate that we will increase our collections of federal dollars by $75 million in Fiscal Year 1972. The limitations currently being considered by Congress, however, could reduce this amount by as much as $50 million.

This is one of our most important efforts. If this effort is not successful—if the federal government denies funds to programs designed to provide services to people *before* they have to seek welfare — then we will have to give serious consideration to reducing affected budgets for the Departments of Mental Health, Corrections, and Children and Family Services.

I have designated the Department of Public Aid as the state agency responsible for the coordination of the service program for potential recipients, and have instructed the heads of all the human service agencies to cooperate in every conceivable way.

Unfortunately, not all state and local government employes have shared the concern we have shown for maximizing federal dollars. Consequently, I am constrained to announce the application of sanctions to require the requisite cooperation:

Immediate suspension will be required for any public aid employe who places a recipient upon a program funded by state money when a federal alternative is available. In light of the state's fiscal condition, losses of millions of dollars for reasons of bureaucratic lassitude and ineptitude are inexcusable. Henceforth, the loss of a single dollar will be unacceptable.

Regular audits of each local General Assistance unit will be made and payments will be withheld for the percentage of those recipients found eligible for federal programs. The only way I know to make governmental administrators accountable is to make their unit of government pay for their mistakes.

* * *

I have discussed a number of initiatives with immediate impact upon our welfare problem. There are, in addition, initiatives in three areas with a potential long-term effect upon our welfare population which I feel we must address. They include family planning, basic government reorganization, and poverty law reform.

9. Family planning and counseling.

No child is so likely to become a ward of the state as the unwanted child of a poor family. Simple planning and counseling services are a prerequisite to stable and happy families. For this reason, the budget for the Department of Children and Family Services has been granted larger percentage increases under this administration than has any other state agency. More action is necessary.

Family planning information should be disseminated to all public aid recipients of child-bearing age. Family planning guidance is not being made available to the broad spectrum of public aid recipients and to other indigent persons. Public assistance employes have no definite guidelines for dispensing this information to aid recipients or for referring them to appropriate family planning agencies of the Department of Public Health and local agencies. Every public aid recipient of child-bearing age has the same right to this kind of information as do the more well-to-do, and should be made aware of available family planning. This will become the policy of the Department of Public Aid.

Divorce should be as accessible to welfare mothers as to other women. Statistics from legal aid programs indicate that divorce is the most frequently sought legal service. Thousands of Illinois mothers receiving AFDC payments for their families long ago were deserted by their husbands, but are precluded from the possibility of remarriage and renewed family life by their inability to secure a divorce. To end this demoralizing situation, I am instructing the Department of Public Aid to authorize payments for divorce services for AFDC mothers.

10. Restructuring of state human services.

Illinois now has at least 15 separate agencies reporting directly to the governor and theoretically providing human services related to welfare. Sometimes they duplicate each other's efforts and work at cross-purposes. Often they leave gaps in service on the assumption that the responsibility belongs elsewhere.

I believe it is imperative that we reorganize the entire agency structure in the general human services area. This must be a well-conceived, thoroughly-planned, top-to-bottom change.

A plan under the executive reorganization powers accorded the governor in the 1970 Constitution will be submitted to the General Assembly next year.

Change of this magnitude should take place, however, only after the most intensive analysis and research. Clearly, organizational change is needed, but we should not have organizational change for the sake of change. We must know more about program results and our own objectives before we act.

Continuing funds are required for the Illinois Institute for Social Policy's research program and for its two operational programs in the Peoria area and the Woodlawn district of Chicago. Much of the content of this message reflects the work of the institute, and its innovative programs may well chart the way to national leadership for Illinois in the field of welfare reform.

11. Basic poverty law reform.

Our basic laws often act arbitrarily to deprive the poor of their rights and their possessions. This is not only demoralizing and destructive of initiative and hope, but it is economic bad sense: Often the result of unjust private gain is an increase in the cost of public welfare.

It makes sense, then, in terms of the welfare budget alone, to protect the poor from victimization by unscrupulous loan sharks and landlords. Basic reforms are in order. The General Assembly should act positively on the bills now before it to give additional rights to tenants and consumers.

* * *

The long-term measures I have outlined will be of scant assistance if we are unable to meet the challenges of this year, and the next.

For all the 11 steps that I am recommending, there is only so much that we can do here in Illinois to help ourselves, and to meet the overwhelming challenge of skyrocketing welfare costs.

The challenge, and the need, are basically national in nature and dimension. In all candor, I cannot report that the outlook is bright.

We have budgeted $65 million this year in new federal welfare revenues, yet the funds are not yet assured. Thus, we are left with the prospect of a budget badly out of balance.

In this extremity, several attitudes are important. It is important not to strike out wildly and prematurely. We must not be pushed into grant cuts until the last possible moment. If cuts must be made, they should first be made in services such as Medicaid which are of least direct impact upon those in need.

It is important that we see the problem clearly as one for *all* Illinois, rich and poor, Chicago and rural communities. And it is important that action be taken *now*. I have been to Washington on numerous occasions on this issue. I plan to go again, and again, and again, if it is necessary.

Finally, we should not have a falling out here in Illinois on this most divisive issue. The battleground is in Washington, and to press our case successfully there, we must rise above partisan politics here.

The issue and the need are of historic dimensions. Let our actions here rise to the challenge we face.

PRE-EMPTION

NOVEMBER 2, 1971

To the Honorable, the President of the Senate, the Speaker of the House, and the Members of the 77th Illinois General Assembly:

The General Assembly is now considering a number of proposals designed to implement and clarify the provisions of the Illinois Constitution of 1970. Some of these pending measures would retain for the state exclusive jurisdiction over the licensing and regulation of certain businesses, occupations and professions. These bills, in my judgment, deserve immediate consideration and prompt enactment.

Article VII, Section 6 of the 1970 Constitution establishes a new class of local governmental units, "home rule units." A home rule unit is any municipality with a population of more than 25,000, or any county which has an elected chief executive officer. At present there are about sixty municipalities and one county which qualify as constitutional home rule units.

The home rule section of the local government article provides that any "home rule unit may exercise any power or perform any function pertaining to its government and affairs. . . ." This provision changes the common law principle that all regulatory and licensing powers are reserved exclusively to the state, and makes a significant departure from the legal theories which in the past formed the basis for laws pertaining to licensing and regulation. Prior to 1970, a unit of local government could exercise only those powers and functions which were specifically granted to it either by the constitution or by statute.

Many persons believe that this new provision allows any constitutional home rule unit to license and regulate all occupations, professions and businesses. These persons believe that if no preemptive legislation is enacted, home rule units could license and regulate concurrently with the state, or that the licensing and regulation could be done exclusively by the home rule unit in those areas where the state is not regulating or licensing.

There are others who believe that even under the new constitution the regulation and licensing of many businesses, professions and occupations are not powers and functions which "pertain to" the government and affairs of the home rule units. If this is the case, such regulatory and licensing powers are not within the scope of the grant to home rule units in Section 6 and therefore remain vested exclusively in the state.

The constitutional establishment of a new legal principle inevitably is accompanied by confusion and uncertainty as to its full meaning and application. Even the report of the Committee on Local Government of the Constitutional Convention seems to envision that the provisions of the home rule section undoubtedly will be subject to extensive judicial interpretation.

In this context, there are compelling reasons for enacting legislation which will clarify any doubts and will reserve to the state exclusive authority in such matters as those addressed by House Bills 3636, 2780 through 2817, and others.

These bills would retain for the state exclusively jurisdiction over such occupations and professions as architecture, engineering, nursing, medicine, well drilling, clinical psychology, social work, public accounting, pharmacy, and land surveying—as well as over banks, savings and loan firms, insurance companies, credit unions and public utilities.

The parceling out of licensing and regulatory authority over these various matters to home rule or other units of local government could have serious consequences. Such fragmentation would inconvenience those persons who are regulated, hinder the efficient delivery of services, and endanger the protection now afforded the consumers of those services.

This piecemeal, haphazard distribution of regulatory responsibility would be most unwise.

In general, those activities presently regulated by the state are of such a nature as not to be compatible with either concurrent state-local regulation or exclusively local regulation. Many of these activities are conducted within the boundaries of more than one home rule unit. Without the enactment of the type of legislation I am suggesting, individuals who work in more than one home rule unit might be faced with the necessity to obtain a license from each unit and to be regulated by each.

For example, a doctor who lives in Oak Park and practices medicine in both Chicago and Cicero could be required to obtain a license from each of those units, in addition to one from Cook County and the license he now must obtain from the state.

Each licensing unit could require the applicant to pass a qualifying test substantially different from those of the other home rule units. The imposition of a system of multiple licensing and multiple evaluation in Illinois would be unreasonable and unnecessary. It would be burdensome on the more than 500,000 licenses currently under state jurisdiction, and would inhibit the movement of the licensees between home rule units. To impose any additional burden without the prospect of any genuine improvement in the quality of regulation is unwarranted.

The industries presently regulated by the state would face problems similar to those of licensed individuals. It is quite possible that one home rule unit could require an electric utility to place all of its power distribution lines above ground, while a neighboring home rule unit could require an entirely underground system. Banks and insurance companies, conceivably, could be required to use different forms and maintain different reserves from one home rule unit to the next.

Such a system of variable regulation would be confusing, and neither conducive to the efficient operation of the industries in question nor of benefit to consumers. The duplication of regulatory functions would be unduly burdensome to all concerned, and the additional and unnecessary expense would be passed along to consumers and taxpayers.

Adding to the potential complications of multi-unit regulation is the fact that many of the regulated activities are highly complex. It is doubtful that each local unit would be able to recruit enough qualified personnel to perform the difficult tasks of regulation, even if the local unit could afford the added budget expenditures. Many of the professions, occupations and businesses are simply too complicated to be given comprehensive regulation by local units of government.

Even if a redistribution of regulatory authority were to include only Cook County and the City of Chicago, as some persons have suggested, there would be a plethora of practical problems and legal questions. Most of the administrative complications I have discussed with regard to a complete redistribution of authority would also be present in any limited redistribution.

Additionally, the assumption of regulatory and licensing powers by Cook County and the City of Chicago under the new constitution, to the exclusion of all other home rule units, would be a contrived application of the home rule provision. It would illegitimately countenance inequality among home rule units, a situation never intended by the 1970 Constitution.

At a time when there is increasing talk of federal regulation over many of the matters I have discussed, it seems incongruous to consider decentralizing present state regulation into a multitude of local units.

I urge this General Assembly to enact legislation which will explicitly retain such exclusive licensing and regulatory authority in the state.

THE BUDGET MESSAGE

Richard B. Ogilvie, *Governor of Illinois*
77th General Assembly, March 3, 1971

Mr. Speaker, Mr. President, Members of the General Assembly, and all My Fellow Citizens of Illinois:

I come before you today to submit my budget for fiscal 1972, and to lay before you a number of difficult decisions which you must confront if we are to finance the operations of state government during the coming year.

This budget, as in the past, reflects the will and the hopes of this government in dealing with the problems of Illinois. But it also reflects unprecedented pressures and limitations which we can ignore only at the risk of financial instability.

The fiscal situation we face today, in Illinois as in other states, is the most difficult confronted by state and local governments in a generation. Inflation increases the costs of the goods and services we must buy. The economic recession has limited the growth in state tax yields. And economic and social developments have added greatly to the welfare burden we must bear.

Two years ago, we met a fiscal crisis of extreme dimensions by enacting an income tax. The most cursory review of the condition of other states which have put off similar difficult decisions convinces me now, more than ever before, that we chose the right and responsible course in 1969.

This year, as then, we face spiraling financial demands with limited resources. But this year, unlike two years ago, I believe we can meet our responsibility within the context of available revenues.

For that reason, I recommend this budget be financed without any increase in state taxes.

I wish I could report to you that the responsible action of 1969 had solved all our financial problems. That is not the case.

In each of the last two years, we benefited from unusual revenue growth — in 1970, from the first 10 months of income tax collections and in 1971, from a full year yield from that tax. In 1970, general fund revenues from state sources grew by $867 million. In 1971, they grew another $284 million.

By contrast, our revenues from state sources will grow by only $148 million in the coming fiscal year. Within this financial straitjacket, you will be required to face a number of difficult decisions.

I have already confronted those choices in the preparation of this budget. I concluded that we must continue to fund welfare responsibly. I concluded that we must continue our commitment to the education of our children, to better care for the retarded and the disturbed, to the protection of the environment, to the improvement of our correctional programs, and to the development of a comprehensive transportation system. And I concluded that we can no longer afford the luxuries we have known in higher education.

This budget is being submitted to you a month earlier than ever before. You will need this time to make those hard choices, to establish essential priorities, to allocate extremely limited resources, and to say "no" to the highly motivated and articulate spokesmen for the interests affected by your decisions.

* * *

You face two overriding problems in this budget, a pair of almost-insatiable demands so overwhelming as to threaten the very solvency of our state.

I would like to discuss each of them here at the outset, because you must solve these problems — you must make the tough decisions on how to deal with them — before you will be free to take up the broad range of other initiatives designed to make Illinois a better place for all its citizens.

Public Aid

The first of these decisions involves public aid. I have said it before, and I will repeat it here today:

The existing system of public welfare is a social and financial disaster.

During the past two years, we have been able to live with this crisis in Illinois. With large infusions of new revenue generated by the state income tax, the demands of public aid absorbed only about 10 per cent of the growth in revenues in fiscal 1970, and about 40 per cent of the new dollars in the present fiscal year.

But this runaway growth will catch up with us in 1972. The state's share of increased welfare costs, totaling $124 million, accounts for no less than 84 per cent of the projected growth in state revenues for the coming fiscal year.

The consequences of such growth are obvious. In the absence of additional revenues, very little remains to cover the added costs of hundreds of other vital state programs.

Cutting the present modest levels of aid is not the answer. It would only add to the misery we seek to alleviate. Accordingly, I will consider cutting grants only as a last resort after all other attempts at solution have failed.

I am presenting to you a public aid budget of $1.12 billion, a total which anticipates the rise in caseloads and increased costs in the existing program. In addition, we face a deficiency appropriation of $30 million to finance the demands of medicaid, general assistance and aid to families with dependent children for the remaining months of fiscal 1971.

While allowing for these increases, we will be working overtime to find answers and promote programs which hold some hope for an easing of this incredible burden.

We will seek to control medical costs and improve utilization of health care facilities. We will initiate administrative action to shift cases from programs funded entirely by state and local revenues to categorical aid programs which receive federal support. We will continue our efforts to reduce the number of public aid recipients through a broad range of initiatives in manpower training, education, and day care, all of which receive strong emphasis once again in this budget.

But, even with these actions, our welfare commitments represent an immense drain on the resources and vitality of Illinois. Unless sound financial alternatives to the present system are found, other important responsibilities of state government will suffer immeasurably.

The simple fact is that these efforts — no matter how successful — will not be enough. To fit this budget into 1972 resources, we must find additional financial support. I intend to seek that help from the federal government.

The case for shifting the burden of funding welfare to the federal government is a compelling one. The absence of a uniform national program is rewarding the states which neglect the poor, and penalizing states like Illinois which have conscientiously met their obligations. In the face of this great need, I am taking two major steps to secure additional federal funding for welfare in Illinois:

First, I have directed the Bureau of the Budget to work closely with the Departments of Public Aid, Children and Family Services, Corrections, and Mental Health to maximize the federal dollars coming into Illinois under federal matching programs. I believe we can obtain an additional $75 million in federal aid from these sources in 1972.

Second, I will continue to work with all the persuasion at my command for the passage this year of both the Family Assistance Plan and a system of federal revenue sharing.

I have emphasized the desperate need for immediate action to officials at the highest level, and I have been assured — by responsible leaders of both parties—that Congress will act to assist the states in the near future.

Consequently, we are estimating there will be $65 million available to the Department of Public Aid in fiscal 1972 from the Family Assistance Plan or some other new source of federal funds. I believe this is a sound estimate, for it reflects the widespread recognition — in Washington as well as in the states — of the need for immediate action.

The federal welfare proposal offers a significant step away from a system which has indisputably failed the poor and robbed the taxpayer. Under our present system, benefits are granted begrudgingly and often denied arbitrarily. Desertion of families by fathers is encouraged. And the bureaucracy which the present system requires is virtually unmanageable. The Family Assistance Plan simplifies grant requirements, encourages — rather than discourages — a father to support his family, and provides states with an opportunity to reorganize their antiquated and inefficient welfare bureaucracies.

Failure to act this year on some form of broad federal relief will require wrenching cutbacks in many existing programs. We can forestall that kind of defeat only if we all — you and I and the people of this state — speak with one voice in support of the President and alert the Congress that the time for action is now.

Higher Education

The second nearly-insatiable demand you will face in this budget comes from our large and well-funded system of higher education.

The limited resources available to us during the coming year make it absolutely imperative that we begin deciding now where we are going with our university system.

The time for that decision is upon us. The Board of Higher Education has submitted budget recommendations to us totaling $859 million, an increase of 34 per cent over the level of one year ago. The higher education establishment wants appropriation increases at a rate more than six times greater than the growth in all state revenues.

It is clear that this request cannot be accommodated within our limited resources. We simply cannot justify that kind of allocation without wreaking havoc on our commitments to a broad range of responsibilities in basic education, mental health and social services.

For that reason, I recommend that the General Assembly immediately return the 1972 budget recommendations for higher education to the board, and ask the board to make the adjustments necessary to fit university budgets into the available resources of $672 million. The board's cooperation is essential. I am hopeful it will be forthcoming.

At the same time, I believe we must take a hard look at our commitment to higher education in Illinois. It is essential that we begin asking whether this system which has doubled its expenditures in the past four years has produced corresponding results.

In the face of widespread student dissatisfaction and public impatience with the quality of higher education, it is essential that we ask why the system has failed to satisfy the very people it exists to serve.

We must ask whether our spiraling subsidies to the public university system have not starved the one viable educational alternative — a vibrant and diverse system of private colleges.

It is time we question whether we should continue drawing disproportionate financial support from those elements of society which benefit little—such as an inner city family whose children are struggling to learn to read or an elderly couple living on a modest pension — while leaving virtually untapped the primary beneficiaries, the students themselves. While we cannot deny the great economic and social good deriving from the higher education system, neither can we ignore the great individual benefits and increased opportunity for financial gain accruing to each student. In this context, I believe it important for this General Assembly to support the tuition increases recently recommended by the Board of Higher Education.

Within the $672 million available for higher education, I recommend emphasis on three points.

First, I recommend the allocation of a moderate sum to assure the continued vitality of our private college system, which has experienced static or declining enrollments during the skyrocketing growth of our public system. The present facilities at these institutions could accommodate an additional 20,000 students this year if fully utilized.

Second, I recommend a continuation of the program, which I proposed and you enacted last year, providing support for private health education. Our initiative of last year was a crucial step toward alleviating the critical shortage of health care personnel in Illinois and has allowed many institutions to increase enrollments at reduced per capita costs.

Third, adequate scholarship aid and guaranteed loans should be made available to ensure that increased educational costs do not exclude qualified students from educational opportunities. Our program of assistance far exceeds the efforts of other states, and we should continue that record.

These, then,—public aid and higher education—are the two great demands of 1972, the two most complex and vexing problems you will face in this budget. A failure to face them squarely and courageously can only jeopardize the fulfillment of our great responsibilities on a number of other fronts.

State Agency Programs

Whatever the demands of welfare and higher education, we are determined to continue the initiatives of the past two years and to address new problems as well. In making your difficult decisions, you will be aided by improved budgeting techniques and agency management which will enable you to focus resources on priority problems.

To assure maximum results from our tax dollar, we have developed the executive budget process as a year-round discipline and have eliminated unnecessary spending requests. We have worked to reduce clerical costs, to consolidate computer operations and to strengthen our financial audit function. During the coming months, we will be working on a plan to reorganize the executive branch to provide greater efficiency and to pinpoint responsibility.

There is not time today to discuss in detail the state's program. It will be outlined to you in a series of special messages, some of which you already have received. Instead, I would like to cite briefly six programs to illustrate the commitment of this administration to improving the quality of life in Illinois.

1. Mental Health

In this proposed budget, we have recommended significant increases in appropriations for the Department of Mental Health. Our recommendation for expenditure of $334 million—the first Mental Health budget over $300 million—is a measure of our commitment to a strong program of community-based care and treatment.

We are recommending important initiatives in this field for 1972, including the construction of five new 400-bed mental retardation centers, accelerated transfer of mentally retarded patients from Dixon and Lincoln Schools into new programs at mental hospitals and zone centers, a new outpatient unit on the south side of Chicago, construction of the Chicago-Read Children and Adolescent Village, and increases of 60 per cent in community mental health grants, 75 per cent in the drug abuse program, and 49 per cent in the alcoholism program.

2. Children and Family Services

Again this year we are undertaking major initiatives to enrich the opportunities of needy and abused children. We are filling a gap in the state's care for homeless children by establishing temporary care centers in Chicago and East St. Louis. We are moving caseworkers closer to the children and their families by opening new district offices in Chicago and in Danville. To give ghetto families a chance to break the cycle of dependency, we are establishing eleven new day care centers in public housing projects.

I am proud of what this administration has accomplished for the children of Illinois. And the $82 million we are requesting for this department, a 17 per cent increase over 1971, will allow us to continue that vital commitment.

3. Corrections

We have also made remarkable progress in rehabilitating the prisoners in our penal institutions. Four new half-way houses have been established to prepare former inmates for a useful life in their communities. Ten new group homes are now in operation, easing the adjustment to society of youthful offenders. Vocational education in our institutions has been strengthened.

During the coming year, the minimum security prison in Vienna will be operated at full capacity. A new work release center will be opened. New vocational programs will be installed at Vienna and at Pontiac, and we will continue upgrading the entire vocational education effort. Already, our initiatives have shown results. For the first time in memory, the rate of recidivism in Illinois is declining. And with the commitment we recommend in this budget, we believe that trend will continue.

4. Conservation

We will carry on in this budget our unprecedented effort to protect Illinois' natural resources and open spaces. We are recommending $20 million for the acquisition of new park land. With these authorizations, we will have acquired a total of 73,000 acres of new park land since 1969, an increase of more than 50 per cent in three years. In addition, we are recommending an expenditure of $14 million for park development to open 15 major new park facilities for the people of Illinois.

5. Protecting the Environment

Appropriations requested in this budget will allow us to continue the pollution control effort begun last year with the passage of the nation's toughest law for preserving our natural environment.

The Environmental Protection Agency in the coming year will develop teams of specialists for dispatch to problem areas. Modern laboratory facilities will provide better processing of evidence necessary to convict polluters. The agency will also establish an air pollution episode alert system. A requested doubling of the budget for the Pollution Control Board will allow it to keep pace with the increasing tempo of pollution prosecution. The Institute for Environmental Quality will continue its vital research, including a far-reaching study of the presence of mercury and other toxic materials in consumer products.

In addition, this budget proposes the appropriation of $200 million from the $750 million anti-pollution bond issue to finance the first stage of the construction program for municipal sewage treatment and solid waste facilities.

6. Transportation

This will be a crucial year for the development of a transportation program for Illinois. We are moving on five fronts.

First, we propose the creation of a state Department of Transportation to integrate state activity on all major transportation modes. Second, we will continue our aggressive "immediate action" program of resurfacing and widening present roads, while seeking an appropriation of $75 million for the first step of the initial phase of the supplemental freeway program. Third, we recommend $25 million as the first step of a $200 million program to aid local mass transit systems in rejuvenating outdated equipment and facilities. Fourth, we are asking $25 million for the first step in a $100 million airport development program. Fifth, we seek a $10 million appropriation for a broad attack on traffic injuries and fatalities.

* * *

This budget also initiates a four-year program of improved fringe benefits and increased compensation for state employees. For the first time, the state will provide fully paid health insurance for state employees. At present, less than half are covered by adequate health insurance. A new program will provide for each employee a life insurance policy with a benefit of one-half of annual salary. And, I am recommending an across-the-board pay increase of three per cent for all code department employees to be effective September 1, 1971.

Elementary and Secondary Education

In the budgets which I sent to the 76th General Assembly I gave highest priority to increased state support of elementary and secondary education.

The $1.7 billion appropriated by the General Assembly during the past two years permitted the state to increase its share of funding for basic education to 40 per cent of total school district expenditures. Since 1969, general financial assistance from the Common School Fund has almost doubled; assistance for pupil transportation now offsets half of local costs; and special education aids are up about 100 per cent.

In addition, I recommended and the General Assembly approved significant program innovations. In the current school year, for example, the state for the first time recognizes the special costs of school districts in urban areas. With our school lunch and breakfast programs, we have made a major contribution to the learning ability of children distracted by hunger and malnutrition.

For 1972 I propose to continue expanding our commitment. This budget recommends $755 million for school formula aid, an increase of $51 million over the 1971 level. Recognizing the need to allocate these resources to meet the most critical needs, the budget proposes:

additional urban aid amounting to $18 million to better equip city schools to meet their difficult problems.

assistance to school districts which will lose revenues this year because of personal property tax exemptions.

additional funds for changes in the formula to be made by the General Assembly.

Despite our increased level of state support for common schools, troublesome factors are at work in education. Personnel costs have risen at rates far beyond any corresponding increase in productivity. Construction costs are far outpacing those in the rest of the economy. Administrative structures tend to become self-serving bureaucracies. We must seek to rectify these problems, as we must seek improvements in purchasing, maintenance and teaching methods, and strive to develop accountability in the educational system.

In each of the last two years, I have asked that money be appropriated to continue quality education for the more than 400,000 Illinois children who attend non-public schools.

The Elementary and Secondary Non-public Schools Study Commission has already announced its intention to prepare legislation for this purpose. I support this effort, and I again urge that $29 million be appropriated for private schools. I repeat that preservation of our private schools is essential to assure continued improvement in the Illinois school system. We must remember that it is educational quality that is our goal and our responsibility.

* * *

This is the budget for fiscal 1972. It is a budget with three basic dimensions:

- $3.614 billion in the general fund, an increase of 14% over 1971 appropriations of $3.168 billion.
- $5.662 billion in all regular funds, an increase of 12.6% over 1971 appropriations of $5.028 billion.
- $5.987 billion in all regular funds and general obligational bonds, including $125 million for transportation and $200 million for pollution control.

These recommendations come to you after a careful and exhaustive review of the budget requests submitted by each agency, and a thoughtful consideration of the priorities we seek to pursue. In some agencies, improved efficiencies will completely offset the costs of inflation and compensation increases. Although there are insufficient revenues to provide for radical increases in any appropriation, these recommendations nevertheless provide for a high level of service for the people of Illinois—and without any increase in taxes.

In the event that new federal revenues are not forthcoming, we will have to tighten our belts drastically to see us through the coming fiscal year. There will have to be severe cutbacks in existing vital programs.

Fortunately, during the past two years, we have developed the management tools which would enable us to make those tough—but essential—decisions if they become necessary. We are prepared to take whatever action is required to keep expenditures within income and maintain our fiscal stability.

This is a budget of difficult choices. Those choices may not require the raw courage of enacting an income tax, but they do call for discipline and keen perspective. They require that you subtract from one program when you add to another. They are not easy decisions. I know—for I have already confronted them. I have made my choices, and the conclusions which I reached are contained in the budget which I submit to you today.

Now, the responsibility is yours.

RICHARD B. OGILVIE

HIGHER EDUCATION

Message to the Illinois General Assembly from Gov. Richard B. Ogilvie

Illinois has been generous in its support of higher education, often at the expense of the common schools and critical social services. In terms of per-capita spending on universities, we rank above all other populous industrial states, including California and New York.

But it is clearly time for a new sense of perspective about educational spending in Illinois.

First, we must insist upon a rational allocation of resources among the broad range of state functions. We must spend tax resources where they will produce the greatest public benefit.

Second, we must identify our priorities within higher education. Both private and public institutions already have had to face up to the grim reality of shrinking revenues. A study conducted by the Carnegie Commission showed that two-thirds of the nation's colleges and universities are headed for, or are already in, financial trouble.

The financial problems that have faced so many institutions of higher education across the country have now arrived to confront us in Illinois. The state income tax permitted a 40 per cent increase in higher education appropriations in the past two years. In 1972, the capability of the tax system to satisfy funding demands has been far exceeded.

From now on, our universities can avoid cutbacks in their educational mission only by a persistent and determined effort to hold down all costs and set priorities to live within available revenues.

A university *need* not and *should* not do everything. There is not enough money for every institution to achieve excellence in every activity or academic field. With limited resources, universities must focus on those programs of instruction, research, and public service which clearly reflect academic priorities and community needs.

During the rapid growth of the 1960's, many institutions undertook activities unrelated to their central instructional purposes. In some cases, these activities require large financial allocations and demand considerable attention from faculty and administrators. Often, these activities resulted from the simple availability of federal funds:

programs were sometimes established chiefly for the purpose of obtaining federal aid. It is time for universities to redirect energies to their essential purposes.

In particular, a careful assessment of graduate education must be undertaken.

In many cases, the proliferation of graduate programs has occurred at the cost of strong undergraduate instruction by pulling top faculty members out of the classroom and into research. Graduate training costs many times more than undergraduate education, and has siphoned funds away from lower level courses. Finally, the system has produced an unbalanced supply of people holding advanced degrees. Nationally, the job market in many disciplines has been increasingly unable to absorb additional expensively trained graduates, and the universities are projecting even greater growths in graduate enrollment. In view of demand projections and the high costs of graduate education, we should question whether the universities' educational priorities reflect Illinois' needs.

Third, higher education must improve its management. It has been said that university management is fundamentally different from business management. While there is a measure of truth in the assertion, it is also true that a modern university is a huge enterprise, and that management practices must be revised to provide for the optimum use of resources.

Holding the line on spending while absorbing this year's enrollment increase will not be easy. It will require a degree of attention to costs that college and university administrators have not typically exercised. Large annual funding increases during the 1960's permitted university administrators to avoid the hard decisions on priorities and the difficult work of minimizing costs and overhead.

It is time to begin working in earnest toward developing efficiency. Administrative overhead and supporting services must be vigorously pared. Low priority programs and activities must be eliminated altogether. In addition, universities must refocus their attention on essential functions, and away from the multitude of other roles they have assumed.

Our universities have not been subject to the usual financial scrutiny that other state agencies receive, and they are also exempt from centralized control over such housekeeping functions as purchasing and construction. Auditor Michael Howlett has described this situation as costly and inefficient. He has said, and I agree, that "there should be no interference with academic freedom, but in their financial transactions (they) should be subject to the same rules as other state agencies." Their exemption from normal governmental controls should not exempt them from the most efficient use of scarce tax dollars.

Holding the line is an acceptable way for dealing with the financing issue in this year, but it is clearly not a long-term solution. This is a year marked by the inauguration of several new leaders in higher education throughout Illinois. I am hopeful that we can work together to find fresh answers to the problems of funding a quality system of higher education.

WELFARE

Special Message on Public Aid Appropriations from Gov. Richard B. Ogilvie, July 13, 1971.

Today, under the veto powers accorded me in the 1970 Illinois Constitution, I am reducing the Public Aid budget by $65 million. To accomplish this, I am reducing the appropriations for Medicaid by $25 million, and reducing the appropriation for General Assistance by $40 million.

The budget I presented to the General Assembly on March 3 of this year was balanced only by the inclusion of $65 million for fiscal 1972 based upon the congressional enactment of the Family Assistance Plan. Federal relief has not come.

In March, I described the existing system of public welfare as a "social and financial disaster." In a special message to the General Assembly on May 20, I recommended a series of reforms in the administration of public aid—reforms designed to lessen the burden of this problem for the taxpayers of Illinois.

Yesterday, the President signed vital public service employment legislation. In Illinois we will implement these jobs for veterans and welfare recipients as soon as we are authorized to do so. This program will mean that thousands will receive pay checks instead of welfare checks.

Over seven per cent of our population—800,000 Illinois citizens—are on welfare. The great majority of welfare recipients are poor because they are unable to work. Statistics show that less than nine per cent of all persons receiving assistance in the state are able-bodied males or women with children over age six.

I am not at this time reducing aid to the families with dependent children program, on which nearly one-half of our welfare budget is spent. This program accounts for more than 600,000 of the persons on welfare in this state.

Even with the reductions I am recommending today, next year, for the first time, the total welfare budget for the State of Illinois will exceed one billion dollars.

Three years ago, the welfare budget was $545 million. This past year it is $920 million. For this fiscal year commencing July 1, we originally budgeted for one billion, one hundred and twenty million dollars. At that rate of growth, the welfare budget for the fiscal year beginning next July could be over one and one-half billion dollars.

Even with the income tax, state revenues grow at less than seven per cent a year. Welfare costs are growing at more than 30 per cent. There is simply no way—short of raising taxes—for a state such as Illinois to continue to fund a program of this magnitude when it grows more than four times as fast as available resources.

The two-part action I am taking today will reduce the $1 billion, 131 million welfare budget by six per cent. Spread across the board it could affect all 800,00 people on welfare. I am not proposing, however, that Illinois cut grant levels at this time. Instead, I am offering an alternative that has been designed with human and fiscal considerations in mind. It consists of reductions in Medicaid and general assistance that will affect many fewer persons than would across the board cuts.

The Medicaid budget has grown in substantial part not only because of an expanding caseload but also because of escalating costs. I am imposing controls upon these costs, including a freeze on all the rates of hospitals, nursing homes and other providers, which will produce substantial reductions.

Since reductions must be made, general assistance is also deserving of attention. The program was originally budgeted for $118 million. By my action today I am reducing it to $78 million.

General assistance was designed to provide assistance to needy persons who do not qualify for any of the other specifically-defined aid programs such as AFDC and AABD (Aid to Families with Dependent Children and Aid to Aged, Blind and Disabled). Significantly, these other programs are all federally funded to one-half of the aid given: General Assistance is funded approximately 90 per cent by the state, with no federal assistance at all. Although the program is entirely locally administered, local governments, essentially townships, have only to impose a tax levy of up to one mill to cover their General Assistance obligation. If the funds raised by this levy are insufficient, the state makes up the difference.

Because of the program's catch-all quality, it has been difficult to define with assurance precisely who are the persons receiving General Assistance. We do know that the program assists a higher proportion of employable persons than does any other. Reviews have indicated, however, that thousands of recipients are eligible for federally-funded assistance under the AFDC and AABD programs. It is my hope that efforts underway to employ such persons or transfer them to categorical programs, will save Illinois millions of dollars.

Structural as well as administrative review of this program is in order. State government in Illinois finances almost the entire welfare burden, unlike almost every other state, where local governments fund very substantial percentages of the overall cost. Were the same formula applied in Illinois which allocates welfare costs between the state and the City of New York, the City of Chicago would be paying over $200 million for welfare. As it is, Chicago pays a total of $9 million, all for a General Assistance program that is administered locally to serve local purposes. Some 70 per cent of all dollars spent in Illinois next year on public aid, and approximately 90 per cent of those for General Assistance, will go to the City of Chicago.

Without at this time requesting that local governments assume more of the welfare budget in Illinois, it nonetheless seems appropriate to raise that alternative.

Because the costs of human services in Illinois have been shifted to the state, and because a local revenue sharing plan was initiated by the state over two years ago, units of local government in Illinois are in sounder fiscal condition than those of any other major industrial state. Additionally, under the Constitution, the governments most concerned have, as of the first of this month, become home rule units, with substantial new revenue and administrative powers.

These are considerations which deserve careful attention in any future action on welfare in Illinois.

The unfortunate fact is that the Public Aid appropriation will be adequate only if the growth in caseloads decreases from 7,000 to under 4,000 a month.

There are no funds within the existing appropriation for the cost-of-living increases that would otherwise be considered this month. Even so, there is a likelihood that there may be a deficiency in the public aid appropriation by next spring requiring new funds or cuts in grant levels. It is precisely this eventuality that the actions which I outlined in my welfare reform message, and am taking today, are intended to forestall.

Record of Action
By Governor Richard B. Ogilvie
On Bills Passed By
The 77th General Assembly

1971 Regular Session
January 6 to June 30, 1971

Final

Senate Bills Passed	649
Approved	580
Filed without signature	0
Vetoed	46
Vetoed in part	3
Appropriation reduced	5
Appropriation reduced, vetoed in part	3
Returned	12
House Bills Passed	1,195
Approved	1,054
Filed without signature	0
Vetoed	100
Vetoed in part	3
Appropriation reduced	8
Appropriation reduced, vetoed in part	1
Returned	29
Total Bills Passed	1,844
Approved	1,634
Filed without signature	0
Vetoed	146
Vetoed in part	6
Appropriation reduced	13
Appropriation reduced, vetoed in part	4
Returned	41

SENATE BILLS PASSED

With Action of Governor Ogilvie

7	A	6/17
8	A	6/17
9	A	6/17
10	V*	8/12
20	A	6/ 8
22	A	4/27
25	V*	8/ 4
28	V*	9/23
32	A	7/23
33	A	7/23
34	A	4/ 7
36	A	4/ 7
37	A	4/ 7
38	A*	3/ 3
41	A	6/ 8
44	A	8/17
46	A	9/17
47	A	5/19
48	A	5/26
52	A	4/21
53	A	3/ 2
56	A	5/19
57	A	5/19
59	A	7/28
64	V*	7/ 2
65	A	5/12
67	V*	9/27
68	A	5/19
69	A	7/23
70	A	7/23
71	A	7/23
72	A	7/23
75	A	3/10
76	A	8/19
78	A	8/27
80	A	4/27
83	A	5/26
84	A	7/10
96	A	7/31
97	V*	9/ 8
100	A	7/23
101	A	6/22
102	A	8/24
107	A	3/23
108	A	3/23
121	A	5/ 4
128	A	6/ 8
131	V*	9/23
135	A	8/24
139	A	8/24
141	A	5/12
152	A	7/31
156	A	6/24
159	A	9/ 7
162	A	8/12
166	A	8/ 4
167	V*	9/10
172	A	8/24
173	A	8/24
177	R*	8/16
178	A	6/ 8
179	A	6/ 8
180	A	6/ 8
181	A	8/ 4
187	A	5/12
188	A	7/31
191	A	7/22
192	A	8/12
193	A	7/23
194	A	6/30
195	A	8/27
196	A	7/31
197	A	7/10
198	A	9/ 8
199	A	9/ 8
203	A	7/10
204	A	7/13
205	A	7/10
206	A	7/10
207	A	9/17
209	A	9/23
210	A	7/10
211	A	7/14
212	A	8/19
213	A	7/23
214	A	7/28
215	A	8/12
216	A	9/17
217	A	7/10
218	A	4/ 7
219	A	8/ 9
222	A	7/13
223	VP*	7/16
224	A	7/10
230	A	6/21
235	A	7/10
236	R*	9/27
237	A	7/13
238	A	6/ 8
239	A	7/ 8
242	A	7/31
246	A	5/10
247	A	7/13
249	A	7/10
250	A	7/10
258	A	5/10
262	R*	8/27
272	A	7/27
274	A	9/ 2
276	A	8/19
277	AR*	7/15
278	A	9/17
279	A	8/17
280	A	8/17
281	A	8/17
282	A	8/17
283	A	8/17
284	A	8/17
285	A	8/17
286	A	8/17
287	A	8/17
288	A	9/ 2
289	A	8/17
290	A	8/17
291	A	8/17
292	A	8/17
293	A	8/17
294	A	8/17
295	A	8/17
296	A	8/17
297	A	8/17
298	A	8/17
299	A	8/17
300	A	8/17
301	A	8/17
302	A	8/17
303	A	8/17
304	A	8/17
305	A	8/17
306	A	8/17
307	A	8/17
308	A	8/17
309	V*	9/ 7
310	A	8/17
311	A	8/17
312	A	8/17
313	A	8/17
314	A	8/17
315	A	8/17
316	A	8/17
317	A	8/17
318	A	8/17
319	A	8/17
320	A	9/ 2
321	A	8/17
322	A	8/17
323	A	8/17
324	A	8/17
325	A	8/17
326	A	8/17
327	A	8/17
328	A	8/17
329	A	8/17
330	A	8/17
331	A	8/17
332	A	8/17
333	A	8/17
334	A	8/17
335	A	8/17
336	A	8/17
337	A	8/17
338	A	8/17
339	A	8/17
340	A	8/17
341	A	8/17
342	A	8/17
343	A	8/17
344	A	8/17
345	A	8/17
346	A	8/17
347	A	8/17
348	A	8/17
349	R*	9/ 8
350	A	8/17
351	A	8/17
352	A	8/17
353	A	8/17
354	A	8/17
355	A	8/17
356	A	8/17
357	A	8/17
358	A	8/17
359	A	8/17
360	A	8/17
361	V*	8/12
362	V*	8/12
363	V*	8/12
364	A	8/17
365	A	8/17
366	A	8/17
367	A	8/17
368	A	8/17
369	A	9/ 2
370	A	8/17
371	A	8/17
372	A	9/ 2
373	A	8/17
374	A	8/17
375	V*	8/12
376	A	8/17
377	A	8/17
378	A	8/17
379	A	8/17
380	A	8/17
381	A	8/17
382	A	8/17
383	A	8/17
384	A	8/17
385	A	8/17
386	V*	9/ 7
387	A	8/17
388	A	8/17
389	A	8/17
390	A	8/17
391	A	8/17
392	A	8/17
393	A	8/17
394	A	8/17
395	A	8/17
396	A	8/17
397	A	8/17
398	A	8/17
399	A	8/17
400	A	8/17
401	A	8/17
402	A	8/17
403	A	8/17
404	A	8/17
405	A	8/17
406	A	8/17
407	A	8/17
408	A	8/17
409	A	8/17
410	A	8/17
411	A	8/17
412	A	8/17
413	A	8/17
414	A	8/17
415	A	8/17
416	A	8/17
417	A	8/17
418	A	8/17
419	A	8/17
420	A	8/17
421	A	8/17
422	A	8/17
423	A	8/17
424	A	8/17
425	A	8/17
426	A	8/17
427	A	8/17
428	A	8/17
429	A	8/17
430	A	9/23
431	A	8/17
432	A	8/17
433	A	8/17
434	A	8/17
435	A	8/17
436	A	8/17
437	A	8/17
438	A	8/17
439	A	8/17
440	V*	8/19
441	A	8/17
442	A	8/17
443	A	8/17
444	A	8/17
445	A	8/17
446	V*	9/17
447	A	8/20
449	A	8/20
454	A	7/31
455	V*	7/23
456	V*	7/23
457	A	9/23
458	R*	9/23
464	A	7/10
465	A	8/ 4
466	A	7/13
467	A	7/13
468	A	7/13
469	A	7/28
471	A	9/ 1
472	A	7/13
475	VP*	7/26
476	A	8/ 4
477	A	7/13
487	A	7/31
496	A	7/28
497	A	5/ 4
500	A	6/23
501	A	7/13
505	A	6/30
508	A	5/ 6
509	A	5/ 6
510	A	7/13
511	A	7/10
512	A	7/10
513	A	7/13
514	A	9/23
515	A	9/ 8
516	A	7/13
524	A	7/31
525	A	7/22
526	A	7/22
527	A	7/22
528	A	7/22
529	A	7/22
530	A	7/22
531	A	7/22
532	A	7/22
533	A	7/22
534	A	7/22
535	A	7/22
536	A	7/22
537	A	8/16
538	A	8/ 4
539	A	8/27
540	A	9/ 8
544	A	6/23
545	A	7/13
547	A	6/30
549	V*	9/ 8
551	A	6/21
552	A	7/31
553	A	8/ 4
557	A	7/31
559	A	7/31
560	V*	9/17
568	A	7/31
569	A	9/ 8
570	A	9/ 8
571	A	9/10
574	A	7/15
576	V*	9/17
579	A	9/17
581	A	9/23
582	A	7/31
583	A	9/17

A — Approved; V — Vetoed; VP — Vetoed in part; F — Filed without signature; R — Returned; AR — Appropriation reduced.

* Message accompanied governor's action.

Senate Bills Passed — Continued
With Action of Governor Ogilvie

586	A	6/30	734	A*	9/ 8	848	A	8/27	1039	A	7/23	1213	VP*	7/16
587	A	7/13	735	A*	9/ 8	849	V*	9/23	1040	A	7/23	1214	A	7/28
588	A	9/17	736	A	8/27	856	A	8/12	1041	A	7/23	1215	A	7/16
591	V*	8/ 9	737	A	8/27	860	A	8/12	1042	A	7/23	1216	AR*	7/13
592	A	9/ 7	738	A*	9/ 8	861	A	8/12	1043	A	7/23	1218	A	9/27
594	A	6/16	739	A	9/21	862	A	8/31	1044	A	7/23	1220	A	7/27
595	A	7/28	741	A	9/17	863	A	8/31	1045	A	7/23	1221	V*	9/17
596	A	7/28	742	ARVP*	7/16	864	A	8/ 4	1046	A	7/23	1222	A	9/24
598	A	7/31	743	A	6/30	865	A	7/31	1047	A	7/23	1225	V*	9/23
601	A	8/24	744	A	8/31	866	A	9/ 7	1048	A	7/23	1227	A	8/27
605	A	8/12	745	A	9/27	874	A	8/ 4	1049	A	7/23	1228	A	6/25
608	A	8/24	751	A	7/23	878	A	7/22	1057	A	7/23	1229	A	7/22
609	A	8/24	752	A	7/23	902	A	8/ 4	1058	A	7/23	1241	A	6/23
610	A	8/24	753	A	7/23	903	A	7/13	1066	A	9/21	1243	V*	9/ 8
611	A	8/24	754	A	7/23	904	A	7/13	1067	A	9/21	1253	A	7/23
612	A	8/24	755	A	7/23	905	A	7/15	1068	A	9/23	1254	A	7/13
613	A	8/24	756	A	7/23	907	A	7/13	1085	A	9/17	1260	A	8/ 4
616	A	6/30	757	A	7/23	908	A	8/ 4	1086	A	8/30	1262	A	7/22
617	A	7/28	759	A	7/23	909	R*	9/17	1088	V*	8/12	1264	A	7/31
618	A	7/28	760	A	7/23	916	V*	9/23	1089	A	8/13			
619	A	7/15	761	A	7/23	918	A	8/ 4	1092	A	7/31			
620	A	9/ 2	762	A	7/23	919	A	9/10	1095	A	7/28			
621	A	8/19	763	A	7/23	920	A	9/ 1	1096	R*	9/17			
624	A	6/23	764	A	7/23	921	A	9/ 1	1098	R*	9/ 2			
625	A	8/31	766	A	7/23	931	A	8/24	1104	A	8/ 9			
626	A	8/31	767	A	7/23	933	A	9/10	1105	A	8/ 9			
627	A	8/31	768	A	7/23	934	A	8/ 4	1106	A	8/ 9			
628	A	8/31	770	A	7/23	940	A	9/ 8	1107	A	9/ 7			
629	A	8/31	771	A	7/23	947	A	7/14	1116	A	7/23			
630	A	8/31	772	A	7/23	949	A	7/31	1118	A	9/10			
636	AR*	7/14	774	A	7/23	950	A	8/31	1119	A	8/12			
638	A	9/17	775	A	7/23	956	A	9/ 2	1122	A	9/ 2			
639	A	7/22	776	A	7/23	958	A	8/27	1123	A	7/28			
640	A	8/24	777	A	7/23	959	A	7/13	1124	A	8/12			
641	A	8/31	778	A	7/23	960	V*	8/12	1125	A	8/ 9			
647	A	7/15	779	A	7/23	961	A	8/12	1128	V*	8/ 4			
649	A	7/10	780	A	7/23	963	A	8/ 4	1132	A	7/21			
650	V*	7/22	781	A	7/23	964	V*	9/17	1135	A	8/ 9			
652	V*	9/ 8	782	A	7/23	966	A	8/27	1137	A	7/28			
653	A	7/31	783	A	7/23	967	A	8/31	1138	A	7/28			
657	A	7/28	786	A	7/23	976	A*	9/ 2	1140	AR*	7/15			
663	A	9/10	788	A	7/23	978	V*	9/17	1142	AR*	7/13			
664	A*	9/24	789	A	7/23	980	A	7/23	1143	A	9/17			
665	A*	9/24	790	A	7/23	981	A	7/28	1144	A*	9/20			
673	A	8/23	791	A	7/23	982	A	7/31	1145	A	9/20			
681	A	8/31	792	A	7/23	1004	A	9/17	1146	A	8/31			
684	A	8/27	793	A	7/23	1005	V*	9/17	1148	A	8/12			
685	A	8/24	794	A	7/23	1014	A	8/27	1150	A	9/10			
692	A	7/31	795	A	7/31	1016	A	9/ 8	1151	A	9/17			
694	A	9/ 8	796	V*	7/22	1017	V*	9/24	1153	A	7/28			
699	A	8/ 4	797	V*	7/22	1019	A	7/23	1158	A	8/ 4			
700	A	9/ 7	798	A	7/13	1020	A	7/23	1162	A	7/ 2			
701	A	9/ 7	799	A	7/22	1021	A	7/23	1163	A	7/31			
702	A	9/ 7	800	A	9/17	1022	A	7/23	1170	A	8/ 4			
703	A	9/ 7	802	V*	9/ 2	1023	A	7/23	1174	V*	9/ 8			
704	A	9/ 7	803	A	8/ 4	1024	A	7/23	1184	A	8/12			
705	A	9/ 7	804	A	8/ 4	1025	A	7/23	1189	A	7/13			
706	A	9/ 7	805	A	9/23	1026	A	7/23	1190	ARVP*	7/16			
708	A	8/ 4	806	A	7/13	1027	A	7/23	1191	A	7/13			
709	A	8/ 4	815	A	7/22	1028	A	7/23	1192	A	7/13			
710	R*	9/ 1	816	A	9/ 2	1029	A	7/23	1193	A	7/13			
711	A	8/ 4	827	A	9/ 2	1030	A	7/23	1195	R*	9/10			
712	A	8/ 4	828	V*	9/ 2	1031	A	7/23	1196	R*	9/10			
714	A	8/ 4	829	V*	9/ 2	1032	A	7/23	1197	R*	9/10			
715	V*	8/12	830	A	9/ 2	1033	A	7/23	1198	V*	9/10			
717	ARVP*	7/16	833	A	9/ 2	1034	A	7/23	1199	A	9/10			
718	A	8/27	834	A	9/ 2	1035	A	7/23	1201	A	7/13			
719	V*	9/27	842	A	9/10	1036	A	7/23	1202	A	9/10			
728	A	9/23	843	A	8/12	1037	A	7/23	1205	A	9/27			
732	A	9/21	845	A	8/12	1038	A	7/23	1211	A	6/15			

A — Approved; V — Vetoed; VP — Vetoed in part; F — Filed without signature; R — Returned; AR — Appropriation reduced.

* Message accompanied governor's action.

HOUSE BILLS PASSED
With Action of Governor Ogilvie

3	A	9/6
8	V*	8/16
9	V*	8/16
16	A*	7/2
20	A	8/17
23	A	8/31
26	V*	9/17
27	V*	8/27
28	A	6/16
29	A	7/22
30	A	6/16
31	A	6/8
32	A	5/26
33	A	6/8
34	A	5/26
35	A	6/8
36	A	5/19
37	A	6/16
38	A	5/19
39	A	5/19
40	A	6/16
41	A	6/16
46	A*	7/21
53	A	8/12
54	V*	8/16
55	V*	8/16
61	A	7/31
63	A	8/19
69	A	9/23
71	A	6/16
72	A	6/16
77	A	9/8
78	A	7/31
194	A	6/16
196	A	5/26
197	V*	6/17
198	A	7/28
199	A	3/31
200	A	7/31
201	A	6/16
207	A*	9/24
208	A*	9/24
209	V*	8/27
214	A	8/4
217	A	8/24
223	A	8/19
224	A	8/19
225	A	8/19
226	A	8/19
227	A	8/19
229	A	7/24
230	A	8/4
259	A	8/17
280	A	7/22
281	A	3/16
288	A	8/27
289	A	8/27
290	A	8/27
291	A	6/8
292	A	8/27
293	A	9/10
294	A	8/27
297	A	7/22
299	A	6/21
300	A	6/21
301	V*	4/7
302	A	8/27
306	A	6/8
312	A	6/8
313	A	8/12
314	A	7/10
316	A	5/26
322	A	8/27
323	A	8/27
328	A	8/27
332	A	8/12
339	A	7/10
343	A	8/17
346	A	6/23
349	A	5/26
351	A	8/9
352	A	6/21
356	AR*	9/10
367	A	5/19
373	A	8/9
377	A	8/12
378	A	8/12
384	A	6/16
390	V*	9/23
399	A	8/31
400	A	6/21
407	A	8/12
410	A	8/17
411	A	8/17
412	A	8/17
413	A	8/17
414	A	8/17
415	A	8/17
416	A	8/17
417	A	8/17
418	A	8/17
419	A	8/17
420	A	8/17
421	A	8/17
423	A	8/17
424	A	8/17
425	A	8/17
426	A	8/17
427	A	8/17
428	A	8/17
429	A	8/17
430	A	8/17
431	A	8/17
432	A	8/17
433	A	8/17
434	A	8/17
435	A	8/17
436	A	8/17
437	V*	8/17
438	R*	8/17
439	A	8/17
441	A	8/17
442	A	8/17
444	A	8/17
445	A	8/17
446	A	9/8
447	A	8/17
448	A	8/17
449	A	8/17
450	A	8/27
451	A	8/17
452	A	8/17
453	A	8/17
454	A	8/17
455	A	8/17
457	V*	8/19
458	A	9/7
459	A	8/17
460	A	8/17
461	A	8/17
462	A	8/17
463	A	8/17
464	A	8/17
465	A	8/17
466	A	8/17
467	A	8/17
468	A	8/17
469	A	8/17
470	A	8/17
471	A	8/17
472	A	8/17
473	A	8/17
474	A	8/17
475	A	8/17
476	A	8/27
477	A	8/17
478	A	8/17
479	A	8/17
480	A	8/17
481	A	8/17
482	A	8/17
483	A	8/17
484	A	8/17
485	A	8/17
486	A	8/17
487	A	8/17
488	A	8/17
489	A	8/17
494	A	7/10
495	A	5/19
498	A	7/31
499	A	9/2
502	A	7/22
503	A	7/22
505	A	6/16
507	A	8/24
508	A	3/4
509	A	3/4
519	A	3/23
520	A	6/21
521	A	4/27
522	A	8/24
523	A	5/26
529	A	8/12
535	R*	7/23
536	A	7/23
537	A	7/23
538	A	7/23
539	A	7/23
540	A	7/23
541	A	7/23
542	A	7/23
543	A	7/23
549	R*	8/27
556	A	8/12
565	A	9/23
573	V*	8/9
574	A	4/13
577	A	6/23
582	A	6/21
583	A	7/27
584	R*	8/24
585	V*	7/31
592	V*	9/23
593	A	8/24
595	A	7/14
596	A	7/14
597	A	8/24
599	A	8/24
601	A	7/10
606	A	4/7
607	A	4/7
610	A	6/23
611	A	6/21
613	A	7/28
616	A	7/22
617	A	5/26
623	A	7/23
624	A	7/23
625	A	6/23
626	A	9/17
630	A	8/9
648	A	8/27
651	A	6/21
666	A	7/22
667	A	7/22
676	A	6/21
677	R*	8/20
678	A	6/29
679	A	5/26
684	V*	8/24
686	V*	8/24
687	R*	8/24
723	V*	9/17
736	A	6/30
737	A	6/21
756	A	6/10
772	A	7/22
776	VP*	9/23
779	A	6/29
785	R*	9/10
787	A*	8/16
788	A*	8/16
792	A	3/31
794	A	9/17
795	A	5/19
796	A	6/21
797	A	8/17
803	A	6/23
812	A	3/31
814	AR*	9/10
818	A	9/23
820	A	8/4
836	A	7/10
838	A	7/2
842	A*	9/24
844	R*	8/27
845	R*	8/27
847	A	7/14
848	A	7/10
849	A	8/4
850	A	7/13
851	A	7/10
852	A	7/10
854	A	9/10
855	A	7/13
858	A	7/10
859	A	6/16
860	A	8/27
861	AR*	9/2
863	V*	8/4
867	A	8/17
868	A	8/17
869	A	8/17
870	A	8/17
871	A	8/17
872	V*	8/12
873	A	8/17
874	A	8/17
875	A	8/17
876	A	8/20
877	A	8/17
878	A	8/17
879	A	8/17
880	A	8/17
881	A	8/17
882	A	8/17
883	A	8/17
884	A	8/17
885	A	8/17
886	A	8/17
887	A	8/17
888	A	8/17
889	A	8/17
890	A	8/17
891	A	8/17
892	A	8/17
893	V*	8/19
894	A	8/17
895	A	8/17
896	A	8/17
897	A	8/17
898	A	8/17
899	A	8/17
900	A	8/17
901	A	8/17
902	A	8/17
903	V*	8/20
904	A	8/17
905	A	8/17
906	A	8/17
907	A	8/17
908	A	8/17
909	A	8/17
910	A	8/31
911	A	8/31
912	A	8/17
913	A	8/17
914	A	8/17
915	A	8/17
916	A	8/31
917	A	8/31
918	A	8/31
919	A	8/17
920	A	8/17
921	A	8/17
922	A	8/17
923	V*	8/31
924	A	8/17
925	A	8/17
926	A	8/17
927	A	8/17
928	A	8/17
929	A	8/19
930	A	8/17
931	A	8/17
932	A	8/17
933	A	8/17
934	A	8/17
935	A	8/17
936	A	9/10
937	A	8/17
938	A	8/17
939	A	8/17
940	A	8/17
941	A	8/17
942	A	8/17
943	A	8/17
944	A	8/17
945	A	8/17

A — Approved; V — Vetoed; VP — Vetoed in part; F — Filed without signature; R — Returned; AR — Appropriation reduced.

* Message accompanied governor's action.

House Bills Passed — Continued

With Action of Governor Ogilvie

946	A	8/17	1016	A	8/17	1133	A	9/17	1335	A	5/10	1494	A	8/ 4
947	A	8/17	1017	A	8/17	1140	A	8/12	1336	A	6/ 1	1498	A	9/ 7
948	A	8/17	1018	A	8/17	1144	A	8/ 9	1340	A	4/27	1499	A	8/ 4
949	A	8/17	1019	A	8/17	1145	A	7/22	1341	A	8/19	1501	A	9/27
950	V*	8/31	1020	A	8/17	1150	A	8/ 9	1346	A	8/ 9	1505	A	8/27
951	A	8/17	1021	A	8/17	1153	A	7/10	1348	A	8/ 4	1506	A	8/27
952	A	8/17	1022	A	8/17	1162	V*	8/27	1349	A	8/12	1507	A	8/ 2
953	A	8/17	1023	V*	9/10	1163	R*	9/23	1350	A	8/12	1513	A	7/31
954	A	8/17	1024	A	8/17	1164	R*	9/23	1351	A	8/12	1514	A	8/12
955	A	8/17	1025	A	8/17	1166	A	9/17	1352	A	8/12	1516	R*	9/27
956	A	8/17	1026	A	8/17	1167	V*	8/27	1353	A	6/23	1517	A	8/31
957	A	8/17	1027	A	8/17	1168	A	7/10	1354	A	6/23	1521	A	7/28
958	A	8/17	1028	V*	8/12	1169	A	9/ 8	1355	A	9/ 8	1522	A	7/31
959	A	8/17	1029	A	8/17	1174	A	8/16	1357	A	6/16	1523	A	7/31
960	A	8/17	1030	A	8/17	1178	A	9/ 2	1358	A	6/16	1524	A	7/27
961	A	8/17	1031	A	8/17	1179	A	9/21	1363	A	8/31	1525	A	7/31
962	A	8/17	1032	A	8/17	1180	A	9/ 2	1365	A	7/31	1527	A	7/31
963	A	8/17	1033	A	8/17	1186	R*	8/12	1366	A	7/31	1528	A	7/31
964	A	8/17	1034	R*	9/10	1187	V*	9/17	1367	A	7/31	1529	A	7/27
965	A	8/17	1035	A	8/17	1189	A	7/13	1390	A	6/30	1551	A	7/28
966	A	8/17	1036	A	8/17	1190	A	7/28	1393	A	8/ 4	1556	A	6/23
967	A	8/17	1037	V*	8/12	1195	A	7/22	1394	A	8/ 4	1557	A	6/16
968	A	8/17	1038	A	8/17	1204	A	7/31	1395	V*	8/24	1559	A	6/23
969	A	8/17	1039	A	8/17	1208	A*	8/31	1397	A	7/23	1565	A	8/17
970	A	8/17	1040	A	7/14	1211	A	7/28	1401	A	8/17	1567	A	8/ 9
971	A	8/17	1041	A	7/10	1212	V*	9/ 2	1402	A	8/17	1570	A	8/27
972	V*	8/12	1043	A	9/10	1214	A	8/27	1403	A	8/17	1571	A	9/17
973	A	9/ 8	1044	A	9/10	1218	VP*	7/13	1404	A	8/17	1572	A	7/22
974	A	8/17	1045	A	9/10	1221	A	7/ 2	1405	A	8/17	1578	V*	8/27
975	A	8/17	1046	A	7/13	1228	A	9/ 2	1406	A	8/17	1579	V*	8/20
976	V*	8/12	1048	A	7/10	1245	A	7/26	1407	A	8/17	1580	A	9/17
977	V*	8/19	1050	A	7/14	1264	A	9/24	1408	A	8/17	1581	V*	9/17
978	V*	8/19	1052	A	9/10	1277	A	7/ 2	1409	A	8/17	1588	A	8/12
979	V*	8/19	1053	A	7/28	1278	A	7/ 2	1410	A	8/17	1596	AR*	7/15
980	V*	9/10	1054	A	7/31	1279	A	7/ 2	1411	A	8/17	1598	A	7/28
981	V*	9/ 8	1055	A	8/ 4	1280	A	7/ 2	1412	A	8/17	1601	A	8/12
982	A	8/17	1057	A	6/21	1281	A	7/ 2	1413	A	8/17	1603	A	7/10
983	A	8/17	1060	A	7/22	1282	A	7/ 2	1414	A	8/17	1605	A	8/12
984	A	8/17	1061	A	7/22	1283	A	7/ 2	1415	A	8/17	1606	A	7/13
985	A	8/17	1062	A	9/10	1284	A	7/ 2	1416	A	8/17	1607	A	7/28
986	A	8/17	1063	A	9/10	1285	A	7/ 2	1417	A	8/17	1608	A	7/13
987	A	8/17	1065	A	9/10	1286	A	7/ 2	1418	A	8/17	1609	A	7/27
988	V*	9/ 7	1066	A	8/11	1287	A	7/ 2	1419	A	8/17	1610	A	7/13
989	A	8/17	1067	A	9/10	1288	A	7/ 2	1420	A	8/17	1614	A	7/13
990	A	8/17	1074	A	9/10	1289	A	7/ 2	1421	A	8/17	1615	A	7/23
991	A	8/17	1075	A	9/10	1290	A	7/ 2	1422	A	8/17	1616	A	7/23
992	A	8/17	1076	A	9/10	1291	A	7/ 2	1423	A	8/17	1617	A	7/13
993	A	8/17	1078	A	9/10	1292	A	7/ 2	1424	A	8/17	1618	A	9/23
994	A	8/17	1080	A	9/10	1293	A	7/ 2	1425	A	8/17	1623	A	7/26
995	V*	8/12	1081	A	9/10	1294	A	7/ 2	1426	A	8/17	1624	A	9/10
996	A	8/17	1086	A	9/10	1295	A	7/ 2	1427	A	8/17	1625	A	9/10
997	A	8/17	1089	A	9/10	1296	A	7/ 2	1428	A	8/17	1626	A	9/17
998	A	9/ 8	1094	A	6/16	1297	A	7/ 2	1429	A	8/17	1628	R*	8/ 4
999	A	9/ 8	1095	A	9/17	1298	A	7/ 2	1431	A	6/16	1630	A	7/22
1000	A	8/17	1096	A	9/17	1299	A	7/ 2	1432	A	7/10	1634	A	9/ 8
1001	A	8/17	1097	A	7/13	1300	A	7/ 2	1441	A	9/17	1635	A	7/28
1002	A	8/17	1098	A	8/27	1301	A	7/ 2	1443	V*	9/23	1638	A	7/13
1003	A	8/17	1100	A	9/17	1302	A	7/ 2	1448	A	8/12	1639	A	8/31
1004	A	8/17	1101	A	7/31	1303	A	7/ 2	1451	A	7/23	1647	A	7/31
1005	A	8/17	1103	A	8/31	1304	A	7/ 2	1460	R*	9/ 2	1648	A	8/ 9
1006	A	8/17	1105	A	9/17	1305	A	7/ 2	1461	A	8/12	1650	A	9/21
1007	A	8/17	1108	A	8/ 4	1306	A	7/ 2	1466	A	9/17	1651	A	9/21
1008	A	8/17	1113	A*	8/ 2	1307	A	7/ 2	1471	A	9/10	1652	A	9/21
1009	A	8/17	1119	A	7/23	1309	R*	8/24	1479	A	7/22	1653	A	9/21
1010	A	8/17	1120	A	9/17	1319	A	8/ 4	1480	A	9/ 2	1654	A	9/21
1011	A	8/17	1123	A	8/27	1320	A	9/ 7	1482	A	6/16	1655	A	9/21
1012	V*	9/10	1124	A	8/27	1321	A	8/ 4	1483	A	8/27	1656	A	9/21
1013	V*	8/12	1126	A	7/13	1322	A	8/ 4	1485	A	8/ 4	1657	A	9/21
1014	A	8/17	1127	A	8/12	1323	A	7/28	1489	A	8/ 4	1658	A	9/21
1015	A	8/17	1132	A	7/28	1327	A	6/23	1490	A	8/ 1	1659	A	9/21

A — Approved; V — Vetoed; VP — Vetoed in part; F — Filed without signature; R — Returned; AR — Appropriation reduced.

* Message accompanied governor's action.

House Bills Passed — Continued
With Action of Governor Ogilvie

1660	A	9/21	1837	A	8/27	1969	A	8/24	2137	A	7/31	2325	A	9/21
1662	A	7/13	1841	A	8/27	1971	A	8/ 4	2138	A	8/31	2329	A	9/21
1664	A	8/ 9	1842	R*	9/17	1972	A	8/19	2139	A	7/27	2330	A	9/21
1667	A	8/12	1845	V*	8/27	1974	A	9/17	2140	A	7/31	2332	A	9/21
1670	A	7/13	1848	A	7/10	1975	A	8/27	2144	A	9/17	2336	A	9/21
1671	A	7/14	1859	A	8/27	2002	A	8/16	2151	A	8/12	2338	A	8/ 9
1672	A	7/14	1860	A	7/27	2003	A	8/16	2157	A	7/26	2339	A	9/17
1673	A	8/ 9	1861	A	7/27	2004	A	8/16	2160	A	7/27	2342	A	7/23
1674	V*	7/31	1862	A	8/31	2005	A	8/16	2162	A	8/ 4	2343	A	7/23
1676	ARVP*	7/16	1863	A	9/ 2	2006	R*	9/10	2169	A	7/27	2344	AR*	9/ 2
1677	V*	9/24	1864	V*	8/ 4	2007	A	8/16	2176	A	6/24	2352	A	8/17
1678	A	9/21	1866	A	8/ 4	2008	V*	8/16	2177	A	6/24	2353	V*	9/23
1705	A	7/23	1867	A	8/ 4	2009	A	8/16	2178	A	7/23	2354	A	8/31
1707	V*	9/23	1870	A	6/21	2010	A	8/16	2179	A	7/28	2355	A	7/14
1714	V*	9/10	1873	A	7/31	2011	A	8/16	2181	A	7/28	2361	A	7/22
1715	A	8/12	1874	A	8/12	2012	A	8/16	2184	A	9/ 2	2362	A	7/22
1716	A	8/31	1875	R*	9/ 2	2014	A	8/16	2188	A	8/12	2366	A	7/31
1718	A	8/12	1876	A	8/27	2015	A	8/16	2200	A	8/19	2367	A	9/23
1727	A	7/14	1877	A	8/17	2016	A	8/16	2201	A	8/19	2375	A	8/27
1732	A	8/31	1878	V*	9/10	2017	A	8/16	2202	A	9/ 7	2376	A	7/28
1734	A	9/20	1880	V*	8/16	2018	A	9/10	2203	A	8/19	2387	V*	9/ 2
1736	A	9/20	1881	A	7/26	2034	A	7/27	2207	A	5/ 4	2388	A	9/ 2
1737	A	9/20	1891	A	8/17	2036	A	9/10	2216	A	9/17	2389	A	9/ 2
1738	A	9/20	1892	A	8/24	2040	A*	9/ 8	2217	A	8/ 4	2390	V*	9/ 2
1739	A	9/20	1893	A	7/31	2041	A*	9/ 8	2219	A	7/31	2391	A	9/ 2
1740	A	9/20	1894	A	7/22	2046	A	7/10	2220	A	8/17	2394	V*	9/ 2
1741	A	9/20	1895	V*	8/17	2050	V*	9/17	2221	AR*	7/13	2401	V*	9/ 2
1743	V*	9/23	1897	A	8/27	2052	A	9/17	2226	A	9/10	2409	V*	7/16
1744	A	9/10	1899	A	9/ 2	2053	A	9/17	2229	A	8/17	2421	A	9/21
1746	A	8/31	1900	A	8/19	2055	A	8/31	2230	A	7/22	2427	A	8/27
1750	A	8/ 4	1902	A	8/12	2057	A	8/27	2231	A	7/22	2430	A	8/19
1753	R*	9/21	1904	A	6/24	2058	V*	9/24	2233	A	7/27	2434	A	8/12
1754	A	7/14	1905	A	6/24	2059	V*	9/17	2234	A	8/12	2435	A	8/31
1756	A	9/23	1906	A	8/27	2063	R*	9/23	2235	A	7/31	2436	A	8/31
1757	A	8/ 4	1907	A	7/27	2064	A	9/17	2236	A	7/31	2438	A	7/31
1758	AR*	7/28	1908	A	7/27	2065	A	8/12	2259	A	8/19	2449	V*	8/ 4
1763	A	9/17	1911	A	8/27	2076	A	8/31	2260	A	9/24	2450	V*	8/ 4
1764	R*	9/17	1913	A	8/16	2078	A	9/23	2264	A	7/10	2462	A	7/28
1765	A	9/ 7	1914	V*	9/10	2084	A	8/ 9	2265	A	7/26	2466	A	9/10
1766	V*	7/31	1915	V*	8/16	2085	A	8/ 9	2266	A	8/17	2471	V*	9/23
1777	A	7/31	1916	A	8/16	2086	A	8/ 9	2268	A	8/31	2473	A	9/17
1778	A	7/31	1917	A	8/16	2087	A	8/ 9	2269	A	9/23	2478	A	7/10
1779	A	8/24	1923	A	9/ 2	2088	A	8/ 9	2270	A	7/31	2482	A	7/31
1782	A	8/ 4	1925	A	7/31	2089	A	8/ 9	2271	A	9/23	2484	A	9/24
1786	A	7/22	1926	A	7/31	2090	A	8/ 9	2272	A	8/24	2486	A	7/31
1790	A	8/12	1927	A	7/31	2091	V*	8/ 4	2280	V*	7/22	2487	A	9/24
1794	A	8/19	1928	A	7/31	2092	A	8/ 9	2282	A	8/27	2490	A	8/31
1802	V*	9/ 8	1929	A	7/31	2093	A	8/ 9	2283	A	8/27	2492	A	9/24
1809	A	9/ 2	1930	A	7/31	2094	A	8/ 9	2284	A	7/31	2493	A	8/27
1810	A	9/24	1931	A	7/31	2095	A	8/ 9	2285	A	7/31	2494	A	8/27
1811	A	7/10	1932	A	7/31	2096	A	8/ 9	2286	A	7/31	2495	A	8/27
1813	A	8/ 9	1933	A	7/31	2097	A	8/ 9	2287	A	7/31	2496	A	8/27
1814	V*	9/ 8	1934	A	7/31	2098	A	8/ 9	2288	V*	7/31	2497	A	8/27
1816	A	8/27	1935	A	7/31	2099	A	8/ 9	2289	A	7/31	2501	A	9/ 8
1818	A	8/12	1936	A	7/31	2100	A	8/ 9	2290	A	7/31	2505	A	9/ 7
1819	V*	9/23	1937	A	8/27	2101	A	8/ 9	2291	A	7/31	2507	A	9/ 2
1820	A	9/17	1941	A	9/ 2	2102	A	8/ 9	2292	A	7/31	2521	A	9/17
1821	A	6/28	1942	A	7/31	2103	A	8/ 9	2293	A	7/31	2522	A	8/19
1822	A	8/19	1944	A	8/31	2104	A	8/ 9	2294	A	7/31	2523	A	8/19
1823	A	7/31	1945	A	7/22	2105	A	8/ 9	2295	A	6/16	2524	A	7/31
1825	V*	9/23	1947	A	8/25	2107	A	6/23	2296	A	8/23	2525	A	8/27
1826	V*	9/23	1948	A	7/10	2108	A	7/22	2297	A	8/23	2531	A	7/31
1827	A	8/31	1950	A	9/17	2111	A	7/22	2298	A	8/23	2547	A	8/31
1828	A	8/31	1952	A	7/31	2112	A	7/23	2299	A	8/23	2551	A	8/12
1830	V*	7/27	1953	A	9/ 7	2113	A	8/ 4	2300	A	7/ 2	2552	A	8/12
1831	A	7/27	1959	R*	9/23	2114	A	8/31	2305	V*	9/10	2553	A	8/12
1832	A	9/10	1962	A	8/12	2130	A	9/ 2	2309	V*	8/27	2569	V*	8/31
1833	A	7/27	1963	R*	9/ 8	2131	A	9/ 2	2310	A	8/19	2572	R*	8/27
1834	A	7/27	1964	A	9/27	2132	A	8/ 4	2319	A	9/ 8	2576	V*	9/10
1835	A	7/16	1965	V*	9/23	2135	A	8/ 4	2324	A	9/21	2581	A	8/27

A — Approved; V — Vetoed; VP — Vetoed in part; F — Filed without signature; R — Returned; AR — Appropriation reduced.

* Message accompanied governor's action.

House Bills Passed — Continued
With Action of Governor Ogilvie

2584	V*	8/31	2699	A	7/13	2915	A	8/31	2967	A	8/24	2997	A	8/24
2591	A	7/10	2704	A	9/27	2917	A	7/26	2968	A	8/24	2998	A	8/24
2595	A	7/14	2705	A	8/27	2919	A	7/27	2969	A	8/24	3000	A	7/ 2
2599	A	9/ 7	2709	A	8/27	2920	A	8/24	2970	A	8/24	3001	A	8/24
2601	A	7/27	2717	A	7/22	2924	A	7/15	2971	A	8/24	3002	A	8/24
2607	A	8/31	2724	A	9/ 8	2926	A	8/31	2972	A	8/24	3003	A	8/24
2617	A	7/13	2725	A	9/ 8	2932	V*	7/31	2973	A	8/24	3004	A	8/24
2621	A	9/21	2726	A	7/31	2936	VP*	7/23	2974	A	8/27	3005	A	8/24
2625	A	8/31	2738	A	9/10	2942	A	7/22	2975	A	8/24	3006	A	8/24
2627	A	9/ 7	2758	A	8/31	2943	A	7/22	2976	A	8/24	3007	A	8/24
2628	A	9/24	2765	V*	9/17	2944	V*	7/22	2977	A	8/24	3008	A	8/24
2631	A	8/12	2769	R*	9/21	2945	V*	7/22	2978	A	8/24	3009	A	8/24
2633	V*	8/27	2774	A	7/31	2949	A	9/17	2979	A	8/24	3010	A	8/24
2635	R*	9/17	2775	A	9/17	2950	A	8/ 4	2980	A	8/24	3011	A	8/24
2636	A	7/10	2776	A	8/31	2951	A	8/24	2981	A	8/27	3012	A	8/24
2638	A	7/10	2777	A	8/17	2952	A	8/24	2982	A	8/24	3013	A	8/24
2639	A	8/27	2819	A	7/23	2953	A	8/24	2983	A	8/24	3014	V*	8/ 9
2651	V*	9/17	2824	A	7/22	2954	A	8/24	2984	A	8/24	3017	A	9/27
2654	A	7/31	2825	A	7/22	2955	A	8/24	2985	A	8/24	3019	A	8/ 4
2657	A	9/17	2837	A	7/22	2956	A	8/24	2986	A	8/24	3029	A	7/ 2
2668	A	8/31	2843	V*	9/27	2957	A	8/24	2987	A	8/24	3032	R*	9/10
2670	V*	8/27	2861	A	7/13	2958	A	8/24	2988	A	8/24	3042	V*	9/27
2671	A	8/27	2865	A	7/31	2959	A	8/24	2989	A	8/24	3048	A	6/30
2678	A	8/31	2880	A	9/10	2960	A	8/24	2990	A	8/24			
2679	A	8/31	2893	A	7/22	2961	A	8/24	2991	A	8/24			
2681	A	7/22	2894	A	7/13	2962	A	8/24	2992	A	8/24			
2686	A	8/19	2896	V*	9/17	2963	A	8/24	2993	A	8/24			
2691	A	9/23	2902	A	6/30	2964	A	8/24	2994	A	8/24			
2692	A	8/27	2911	A	6/12	2965	A	8/24	2995	A	8/24			
2693	A	9/ 8	2914	V*	9/17	2966	A	8/24	2996	A	8/24			

A — Approved; V — Vetoed; VP — Vetoed in part; F — Filed without signature; R — Returned; AR — Appropriation reduced.

* Message accompanied governor's action.

MESSAGES

REGULAR SESSION

SENATE BILLS

S.B. 10
August 12, 1971

I herewith return, without my approval, Senate Bill 10, entitled "An Act to amend Section 203 of the 'Illinois Income Tax Act', approved July 1, 1969, as amended."

Senate Bill 10 amends the Income Tax Act to provide an August 1, 1969, valuation limitation for certain distributions from qualified employee pension plans. The taxation inequity which this bill is designed to remedy has been fully covered by Senate Bill 1135 which I approved on August 9, 1971. Therefore, no legislative purpose would be served by permitting Senate Bill 10 to become law.

S.B. 25
August 4, 1971

I herewith return, without my approval, Senate Bill 25, entitled "An Act relating to procuring, furnishing, donating, processing, distributing or using human blood and blood derivatives and products, corneas, bones, or organs or other human tissue."

This bill is identical to House Bill 16 which I approved on July 2, 1971. Therefore, no legislative purpose would be served by permitting this bill to become law.

S.B. 28
September 23, 1971

I herewith return Senate Bill 28 entitled "An Act to amend Sections 14-1.08 and 14-13.01 of 'The School Code', approved March 18, 1961, as amended, and making an appropriation in connection therewith", without my approval.

This bill provides for reimbursement of $25.00 annually per child to a recognized school for furnishing special equipment for handicapped children. Senate Bill 209 which I have approved today, expresses a similar intent. Therefore, no legislative purpose would be served in permitting this bill to become law.

S.B. 38
March 4, 1971

Today I have filed with my approval Senate Bill 38 entitled "An Act making a deficiency appropriation to the Illinois Crime Investigating Commission."

In approving this legislation, I do so in full cognizance of my line item veto of the personal services and contingenices items in the fiscal 71 appropriation for the Illinois Crime Investigating Commission contained in Senate Bill 1288 of the 76th General Assembly.

In my message of June 29, 1970, I stated that the purpose of the veto was to avoid duplication of the enforcement of our criminal laws, particularly in the area of organized crime, which is properly a function of the Executive Department. Specifically, I stated that "To maintain similar investigatory personnel in a legislative commission duplicates enforcement activity without responsibility to the executive department."

I have been advised by the legislative members of the Illinois Crime Investigating Commission that Senate Bill 38 is not an intent to restore funds which were previously withheld by my line item veto, but rather is a supplemental appropriation to permit the continued operation of the Crime Commission necessary for concluding its work and preparing its report to the General Assembly with respect to research and hearings on narcotic civil commitment programs and drug abuse. The Commission has also informed me that following the establishment of the Illinois Bureau of Investigation in the Department of Law Enforcement as the preeminent state law enforcement agency in the field of organized crime, the Illinois Crime Investigating Commission has turned away from prosecutorial investigations and in recent months has engaged only in legislative investigations which this appropriation will complete. Moreover, as evidence of the intent of the legislative members of the Commission, I have been advised that legislation will be introduced shortly repealing the Illinois Crime Investigating Commission Act and creating in its place a successor Illinois Legislative Investigating Commission similar to that proposed in House Bill 3778 of the 76th General Assembly.

In view of these assurances and of the necessity to preserve the capacity of this Commission as a legislative instrument for providing informed recommendations to the General Assembly on the subject of drug abuse, I have filed with my approval Senate Bill 38.

S.B. 64

July 2, 1971

I hereby return, without my approval, Senate Bill 64, entitled "An Act to amend Section 5 of the 'Illinois Anti-Trust Act', approved July 21, 1965, as amended."

This legislation attempts to exempt barbers from the price fixing prohibition of the Illinois Anti-trust Act.

As the Constitutional Officer entrusted with the enforcement of our anti-trust laws, the Attorney General has requested my veto of this legislation as a matter of public policy. "Since the enactment of the original Anti-trust Act in 1965, opposition to the enactment of specific exemptions has been deemed both in the public interest and a consistent expression of public policy. It is only reasonable to assume that the approval of legislation such as Senate Bill 64 could encourage similar requests from other sectors of our state economy seeking preferential treatment.

S.B. 67

September 27, 1971

I am returning herewith, without my approval, Senate Bill 67 entitled "An Act to amend Sections 8-1, 8-4, 8-5, 8-6, 8-8, 8-9, 8-10, 8-11, 8-12, 8-13, 8-14, 8-15, 8-17 and 25-6 of and to repeal Sections 8-5.1 and 8-5.2 of 'The Election Code', approved May 11, 1943, as amended."

This bill is a companion bill to House Bill 3042 and is integrally tied to the procedure for filling legislative vacancies which would be created by House Bill 3042.

Together with that bill, this bill establishes a defective procedure for the reasons set forth in detail in my message vetoing House Bill 3042.

S.B. 97

September 8, 1971

I herewith return, without my approval, Senate Bill 97 entitled, "An Act making an appropriation to the Collinsville Chamber of Commerce."

This bill appropriates $5,500 to the Collinsville Chamber of Commerce for loss of return on certain property held by the State of Illinois. The land in question was voluntarily conveyed to the State on May 9, 1968 and reconveyed on September 24, 1970.

Whether the State is obligated to pay this money is a legal question properly subject to adjudication before the Illinois Court of Claims. To utilize legislative machinery as an alternative to an existing judicial remedy would only serve to establish an unwise precedent.

S.B. 131
September 23, 1971

I am herewith returning without my approval, Senate Bill 131, entitled "An Act to amend Section 3-1.2 of 'The Illinois Public Aid Code', approved April 11, 1967, as amended."

This bill would require the Department of Public Aid to give blind persons receiving aid under the program for the aged, blind and disabled the maximum levels of income and resource exemptions permitted by Federal law or regulation. Although the bill does not so provide, to comply with Federal regulations any liberalizations given the blind would also have to be given the aged and disabled. Otherwise, Illinois would stand in jeopardy of losing Federal aid for the entire program.

To make the necessary changes required by this bill and the mention of Federal regulations would entail additional expenditure of $14.7 million for the ten months remaining in this fiscal year. The State would have to supply $7.35 million of this added cost. Neither the Department's appropriation nor State revenues can accommodate this additional outlay.

We have full sympathy for the difficulties the aged, the blind and the disabled have in managing within the limitations of their current public aid budgets. However, the State's present severe fiscal situation precludes, at this time, any liberalization such as that mandated by this bill.

S.B. 167
September 10, 1971

I herewith return, without my approval, Senate Bill 167 entitled, "An Act to amend Sections 3-135, 4-128, 5-187, 6-183, 7-201, 8-201, 9-194, 11-190, 12-166, 13-189, 15-167, 16-179 and 17-146 of the 'Illinois Pension Code', approved March 18, 1963, as amended."

Senate Bill 67 would authorize public pension funds in the State of Illinois not presently under the jurisdiction of the Illinois State Board of Investment to transfer their investment functions to the Board for management purposes. Although this legislation is permissive and may reflect a desirable policy for the State to undertake, enactment of this legislation at this time is premature. The Illinois State Board of Investment was established by Public Act 76-1829 which I approved on August 10, 1969. The Board's initial operation with respect to the investment of certain funds is now just being established and it is apparent that the Board's investment experience has been too limited to presently enjoy the understanding and full support of the members of the several systems affected by this bill. In view of the substantial opposition to the enactment of this bill, I believe that approval of legislation such as Senate Bill 167 should be delayed until such time as the Board can better establish confidence of its programs with those who would be affected by it. I would strongly urge the General Assembly to reconsider the submission of this bill when it convenes in annual session this January.

S.B. 177, see approval message for H.B. 787 and H.B. 788.

S.B. 223
July 16, 1971

I herewith return Senate Bill 223 entitled "An Act to provide for the ordinary and contingent expenses of the Department of Business and Economic Development."

Pursuant to the authority vested in me by the provisions of Article IV, Section 9(d) of the Constitution of 1970, I have vetoed the following item on page 3, lines 1 through 4:

> "Section 6 The sum of $600,000, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Department of Business and Economic Development for Site Development of Rend Lake."

In view of the serious fiscal pressures on the General Revenue Fund, it is necessary to identify alternative sources of funding for this project. It is quite possible that the use of revenue bonds or the securing of bank loans might constitute a more satisfactory funding basis. Likewise, careful analysis should be given to amending the powers of the Illinois Industrial Development Authority so that grants of this type could be provided to such endeavors. I urge that these and other avenues be pursued so that this development could continue.

S.B. 236

September 27, 1971

I herewith return Senate Bill 236 entitled, "An Act to Create the Illinois Fire Protection Personnel Standards and Education Commission, defining its powers and duties, and making an appropriation therefor."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970, I am returning Senate Bill 236 with the following specific recommendations for change:

> Amend Senate Bill 236, on page 2, by striking lines 10 through 27 and inserting in lieu thereof the following:
>
> "Section 3. Membership, Tenure, Vacancies. The Commission shall be composed of 11 residents of Illinois. The Fire Marshal of the State of Illinois, the Fire Commissioner of the City of Chicago, and the Director of the University of Illinois Firemanship Training Program shall serve as ex-officio members of the Commission. The remaining eight members shall be appointed by the Governor and shall consist of one volunteer fire fighter, one chief of a municipal fire department of a city of less than 500,000, one trustee of a fire protection district, two mayors of cities which have municipal fire departments, one fire fighting equipment engineering expert whose professional duties are performed primarily within the State of Illinois, and two citizens of Illinois who shall be members of an organized association of fire fighters, one citizen residing in a municipality over 500,000 persons. The Governor shall initially designate 3 appointees to serve terms of 3 years, 3 appointees to serve terms of 2 years, and 2 appointees to serve terms of 1 year. Their successor shall be appointed to 3-year terms. All appointed members shall serve until their respective successors are appointed and qualify. Vacancies shall be filled by appointment by the Governor for the unexpired terms."; and
>
> on page 3, line 35, by striking the word "units" and inserting in lieu thereof the word "agencies"; and
>
> on page 4, line 4, by striking the word "unit" and inserting in lieu thereof the word "agency"; and
>
> on page 4, line 11, by striking the words "the governing body of"; and

on page 4, line 13, by striking the word "unit" and inserting in lieu thereof the word "agency"; and
on page 4, line 23, by striking the word "groups" and inserting in lieu thereof the word "agencies"; and
on page 4, line 26, by striking the word "units" and inserting in lieu thereof the word "agencies"; and
on page 4, line 32, by striking the word "units" and inserting in lieu thereof the word "agencies"; and
on page 4, line 34, by striking the word "units" and inserting in lieu thereof the word "agencies"; and
on page 5, by striking lines 2 through 9 and inserting in lieu thereof the following:
"more than 50% of the reimbursements distributed to local governmental agencies in any fiscal year shall be distributed to local governmental agencies of more than 500,000 persons. If at the time of the annual reimbursement to local governmental agencies participating in the training program there is an insufficient appropriation to make reimbursement in full, the appropriation shall be apportioned among the participating local governmental agencies."
on page 5, by striking lines 21 through 23 and inserting in lieu thereof the following:

"Section 12. Advanced Training Programs. The Commission, in its discretion, may adopt rules and minimum standards for advanced training programs for"; and
on page 5, line 28, by striking the word "board"; and
on page 5, line 29, by striking the words "The corporate authorities of all"; and
on page 5, line 33, by striking the word "units" and inserting in lieu thereof the word "agencies"; and
on page 6, by striking lines 9 through 11 and inserting in lieu thereof the following:

"(2) may direct the use of appropriated funds for research and experimental programs in the field of fire protection training and education in schools certified by the Commission"; and
on page 7, line 1, by striking the figure "$184,000" and inserting in lieu thereof the figure "$30,000"; and
on page 7, line 3, by striking the words "to the Commission for the purposes of this Act" and inserting in lieu thereof the words "to meet the ordinary and contingent expenses for the administration of the Commission."

Senate Bill 236 creates the Illinois Fire Protection Personnel Standards and Education Commission. The Commission shall set standards for the training of fire fighters.

Those local governmental agencies which elect to require participation of their trainees in programs certified by the Commission will be reimbursed by the Commission for 50% of their training costs. Under the bill the Commission will also be empowered to establish standards for advanced training programs and to fund research programs.

These amendments make several changes in the bill as presented to me. First, the use of the term "local governmental agency" is made consistent throughout the bill. Secondly, the requirements for membership on this Commission have been changed to substantiate qualifications based on general classification rather than a membership in a specific association. Thirdly, the language in Section 12 and in Section 13 has been altered to insure, in accord with the intent of the sponsors of the bill, that the Commission may set standards without actually being required to operate training and research programs itself. Fourthly, the language with regard to reimbursement to local governmental agencies of over 500,000 has been rewritten in order to remove ambiguity which could have defeated the apparent intent of the General Assembly. The new language makes no substantial change. Finally, in response to a recommendation by the Bureau of the Budget, the appropriation has been reduced from $184,000 to $30,000. This new sum will be more than adequate to meet the needs of the Commission during this fiscal year. During this initial period the Commission will be in the process of setting standards for training programs. Reimbursement of training expenses will not occur until a future fiscal period.

S.B. 262
August 27, 1971

I herewith return Senate Bill 262 entitled, "An Act to amend Sections 2 and 3 and the title of 'An Act in relation to the performance of medical or surgical procedures on minors', approved August 17, 1961, as amended."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970, I am returning Senate Bill 262 with the following specific recommendations for change:

> Amend Senate Bill 262, on page 1, line 13, by striking ", dental"; and

on page 1, lines 14 and 15 by striking "*or a dentist licensed to practice dentistry*" and inserting in lieu thereof, "*or a dental procedure by a licensed dentist*"; and

on page 1, lines 22 and 23, by striking "*or a dentist licensed to practice dentistry,*"; and

on page 1, line 23, by inserting the following language immediately after "*aid*": "*or a licensed dentist renders emergency dental treatment*".

The purpose of this bill is to include dentists in our present law authorizing emergency services on minors without parental consent. However, a literal reading of the bill would permit a dentist to perform not only dental, but medical and surgical services as well. I am advised by the Department of Public Health that this construction was not intended.

In order to avoid this construction of the law, I am returning Senate Bill 262 with the foregoing specific recommendation for changes.

S.B. 277

July 15, 1971

I herewith return Senate Bill 277 entitled "An Act making appropriations for the ordinary and contingent expenditures of the Department of Mental Health.

I have approved this in the total amount of $332,075,935. Pursuant to the authority vested in me by the provisions of Article IV, Section 9(d) of the Constitution of 1970, I have reduced the following item and approved this item for expenditure in the reduced amount as stated.

Page	*Line*	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
2	11	For payment for care of persons in need of mental treatment in private psychiatric facilities	$2,000,000	$—1,000,000	$ 1,000,000
		Subtotal	$2,000,000	$—1,000,000	$ 1,000,000
	Add:	Items approved as enacted			331,075,935
		Revised Total, SB. 277			$332,075,935

My original request for one million for emergency services, which was left untouched by the veto, will be sufficient to provide for controlled utilization of this program for those not covered by public assistance. The truly indigent, public assistance recipients, will be covered by federally reimbursed psychiatric medicaid provided for in the budget.

S.B. 309
September 7, 1971

I herewith return, without my approval, Senate Bill 309 entitled "An Act to amend Section 11-141-3 of the 'Illinois Municipal Code', approved May 29, 1961, as amended."

Senate Bill 309, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of Senate Bill 702 which amends the same section amended by Senate Bill 309.

S.B. 349
September 8, 1971

I herewith return Senate Bill 349 entitled, "An Act to amend Section 2-9 of the 'Juvenile Court Act', approved August 5, 1965, as amended."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970, I am returning Senate Bill 349 with the following specific recommendation for change:

> Amend Senate Bill 349 at page 1 by inserting immediately after line 34, the following:
>
> "or proceeding, except in trials of suits for libel or slander, wherein the fact, confession, admission or statement is material and relevant.
>
> "(2) Notwithstanding the foregoing provisions of this Section, whenever any one who has been adjudicated to be a delinquent minor described in Section 2-2 is convicted of a crime in any court, the court in which the conviction has been entered may, in passing upon an application for probation or in determining the sentence to be imposed, examine the records of disposition or evidence which were made in proceedings under this Act.
>
> "(3) Nothing in this Section affects the right of a Civil Service Commission or appointing authority examining the character and fitness of an applicant for a position as a law enforce-

ment officer to ascertain whether that applicant was ever adjudicated to be a delinquent minor and, if so, to examine the records of disposition or evidence which were made in proceedings under this Act."

This legislation was introduced by the Legislative Reference Bureau as part of its statutory revision series. Unfortunately, the bill did not include a complete quotation of the section which was sought to be amended. Consequently, the bill is constitutionally deficient in that it fails to comply with Article IV, Section 13, of the 1870 Constitution, which requires that ". . . the section amended shall be inserted at length in the new act." A similar provision adheres in the Constitution of 1970 [Article IV, Section 8(d)]. In order to correct this technical deficiency, it is the recommendation of the Legislative Reference Bureau that the bill be returned as corrected.

S.B. 361
August 12, 1971

I herewith return, without my approval, Senate Bill 361 entitled "An Act to amend Section 4 of the 'Child Protection Act', approved August 14, 1963, as amended."

Senate Bill 361, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 2132 which repeals the section amended by Senate Bill 361.

S.B. 362
August 12, 1971

I herewith return, without my approval, Senate Bill 362 entitled "An Act to amend Section 9 of the 'Child Protection Act', approved August 14, 1963, as amended."

Senate Bill 362, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 2132 which repeals the section amended by Senate Bill 362.

S.B. 363
August 12, 1971

I herewith return, without my approval, Senate Bill 363 entitled "An Act to amend Section 14 of the 'Child Protection Act', approved August 14, 1963, as amended."

Senate Bill 363, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 2132 which repeals the section amended by Senate Bill 363.

S.B. 375
August 12, 1971

I herewith return, without my approval, Senate Bill 375 entitled "An Act to amend Section 8-4-1 of the 'Illinois Municipal Code', approved May 29, 1961, as amended."

Senate Bill 375, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of Senate Bill 8 which amends the same section amended by Senate Bill 375.

S.B. 386
September 7, 1971

I herewith return, without my approval, Senate Bill 386 entitled "An Act to amend Section 11-19-4 of the 'Illinois Municipal Code', approved May 29, 1961, as amended."

Senate Bill 386, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 2076 which amends the same section amended by Senate Bill 386.

S.B. 430
September 23, 1971

I herewith return, without my approval, Senate Bill 430 entitled "An Act to amend Section 12 of 'An Act to create sanitary districts and to remove obstructions in the Des Plaines and Illinois Rivers', approved May 29, 1889, as amended."

Senate Bill 430, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 2421 which amends the same section amended by Senate Bill 430.

S.B. 440
August 19, 1971

I herewith return, without my approval, Senate Bill 440 entitled "An Act to amend Section 13.1 of 'An Act to provide for the creation and management of forest preserve districts', approved June 27, 1913, as amended."

Senate Bill 440, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 2430 which amends the same section amended by Senate Bill 440.

S.B. 446
September 17, 1971

I herewith return, without my approval, Senate Bill 446, entitled "An Act to repeal 'An Act relating to covenants, agreements or understandings in or in connection with or collateral to any lease of real property exempting the lessor from liability for damages for injuries to person or property caused by or resulting from the negligence of the lessor, his agents, servants or employees, in the operation or maintenance of the demised premises or the real property containing the demised premises', approved April 13, 1959."

Senate Bill 446 is a revisory bill introduced at the request of the Legislative Reference Bureau, the provisions of which are wholly contained within House Bill 1763 which I have previously approved. Therefore, no legislative purpose would be served by permitting Senate Bill 446 to become law.

S.B. 455
July 23, 1971

I hereby return, without my approval, Senate Bill 455, entitled "An Act to amend Section 17 of 'An Act to revise the law in relation to promissory notes, bonds, due bills and other instruments in writing', approved March 18, 1874, as amended."

This bill is identical to House Bill 624 which I have approved today. Therefore, no legislative purpose would be served by permitting this bill to become law.

S.B. 456
July 23, 1971

I hereby return, without my approval, Senate Bill 456, entitled "An Act to amend Section 1 of 'An Act to designate Lincoln's Birthday a holiday', approved June 18, 1941, as amended."

This bill is identical to House Bill 623 which I have approved today. Therefore, no legislative purpose would be served by permitting this bill to become law.

S.B. 458
September 23, 1971

I herewith return Senate Bill 458 entitled, "An Act to amend Section 8 of the 'Motor Fuel Tax Law', approved March 25, 1929, as amended."

Pursuant to the authority vested in me under Article IV, Section 9(e), of the Constitution of Illinois, 1970, I am returning Senate Bill 458 with the following specific recommendation for change:

> Amend Senate Bill 458 on page 2, line 20, by striking "*$500,000*" and inserting in lieu thereof "*$200,000*".

This specific recommendation for change would reduce the sum transferred to Grade Crossing Protection Fund from $500,000 each month to $200,000. The reduced level of spending will be closer to realistic expenditures as experienced in the past for separation of grades and other purposes relating to grade crossings. The proposed level of spending still represents a doubling of the former rate.

S.B. 475
July 23, 1971

I herewith return Senate Bill 475 entitled "An Act in relation to health planning and to make an appropriation in connection therewith."

Pursuant to the authority vested in me by the provisions of Article IV, Section 9(d) of the Constitution of 1970, I have vetoed the following item on page 4, lines 13 and 14:

"For the ordinary and contingent expenses of the State Agency	$ 300,000

The appropriation made by the above item is contained within House Bill 2595, the annual appropriation to the Department of Public Health which I have previously approved. In view of the identical character of the appropriation made in these two bills, no fiscal or legislative purpose would be served by approving this line item in Senate Bill 475.

S.B. 549
September 8, 1971

I herewith return, without my approval, Senate Bill 549, entitled, "An Act authorizing and directing the Department of Public Works and Buildings to make an engineering examination, survey, study and report on flood control and drainage in the East Alton, Wood River and adjacent areas of Madison County and making an appropriation therefor."

Senate Bill 549 makes a non-budgeted appropriation of $20,000 for an engineering survey on flood control in Madison County. The limited manpower resources available to the Division of Waterways and our limited resources in the General Revenue Fund preclude approval of projects not included in the Division's Fiscal Year 1972 construction program.

S.B. 560
September 17, 1971

I herewith return, without my approval, Senate Bill 560, entitled "An Act in relation to the recruiting and hiring of certain persons to replace employees involved in a labor dispute and providing penalties therefor."

Senate Bill 560 creates a new act which prohibits the recruiting and hiring of any person "who customarily and repeatedly offers himself for employment to replace an employee involved in a labor dispute." Any person who violates the provisions of this Act is subject to fine or imprisonment.

In order for a proposed statute with criminal penalties to be enforceable and understood, it must define with reasonable certainty what persons and acts are included within its scope. The terms of the act can be neither vague nor indefinite. *Cramp* v. *The Board of Public Instruction of Orange County*, 268 U.S. 278. 82 S. Ct. 275, 7 L. Ed. 2nd 285 (1961).

Senate Bill 560 provides no such certainty. No definition is given to such key terms of the bill as "customarily and repeatedly" or "labor dispute." It is unclear whether a person offer himself for employment once, twice, or ten times before it becomes a "repeated offer." There is no guideline whether a "labor dispute" means a legal as well as an illegal strike, or a justified firing of an undesirable employee.

The goal of this bill appears to be to prohibit the employment or recruitment of "professional strikebreakers."

However, the bill also could be used to fine or imprison a person who hires a strikebreaker for a job whether or not the job for which he was hired is in any way connected with a "labor dispute" and regardless of whether the employer knew that the person hired is a strikebreaker.

In addition, there is no indication given as to the duration of the status of a man who once was a professional strikebreaker. The bill could effectively preclude a person who at any time during his life had been a professional strikebreaker from ever being employed by another person.

S.B. 576
September 17, 1971

I herewith return, without my approval, Senate Bill 576 entitled, "An Act to amend Section 14-13.01 of 'The School Code', approved March 18, 1961, as amended."

Senate Bill 576 is substantially identical to House Bill 69 which I intend to approve. Therefore, no legislative purpose would be served by permitting Senate Bill 576 to become law.

S.B. 591
August 9, 1971

I herewith return, without my approval, Senate Bill 591, entitled "An Act to amend Section 3-12.2 of the 'Public Junior College Act', approved July 15, 1965, as amended."

This bill is identical to House Bill 1346 which I have approved today. In view of my action on House Bill 1346, no legislative purpose would be served by permitting this bill to become law.

S.B. 636
July 14, 1971

I herewith return Senate Bill 636 entitled, "An Act making appropriations and reappropriations to the Board of Governors of State Colleges and Universities."

I have approved this bill in a total amount of $98,223,364. Pursuant to the authority vested in me by the provision of Article IV, Section 9(d) of the Constitution of 1970, I have reduced the following items and approved these items for expenditures in their reduced amounts as stated:

Page	*Line*	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
1	11	Personal Services	$ 7,147,006	$ —911,060	$ 6,235,946
1	12	Contractual Services	861,701	—50,000	811,701
1	13	Travel	39,700	—20,000	19,700
1	14	Commodities	135,000	—64,559	70,441
1	15	Oper. of Auto Equip.	10,000	—5,700	4,300
1	17	Retirement	352,756	—108,356	244,400
1	18	Equipment	50,000	—30,000	20,000
1	19	Books, Library	50,000	—20,000	30,000
1	20	Federal Matching Funds	76,500	—6,500	70,000
1	21	Telecommunications	61,700	—41,700	20,000
1	22	Awards and Grants	82,000	—13,010	68,990
1	23	Total	(8,866,363)	(—1,270,885)	(7,595,478)
1	25	Personal Services	12,117,194	—1,311,023	10,806,171
1	26	Contractual Services	1,967,300	—417,300	1,550,000
1	27	Travel	61,600	—1,600	60,000
1	28	Commodities	407,500	—107,500	300,000
1	29	Oper. of Auto Equip.	48,400	—8,400	40,000
1	31	Retirement	730,252	—224,352	505,900
1	32	Equipment	270,600	—170,600	100,000
1	33	Books, Library	340,700	—160,700	180,000
2	2	Telecommunications	103,400	—8,400	95,000
2	3	Awards and Grants	135,600	—30,000	105,600
2	4	Total	(16,270,046)	(—2,439,875)	(13,830,171)
2	8	Contractual Services	1,021,297	—12,243	1,009,054
2	13	Retirement	118,827	—36,527	82,300

2	15	Books, Library	553,500	—15,000	538,500
2	19	Total	(4,382,159)	(—63,770)	(4,318,389)
2	22	Personal Services	7,026,432	—517,293	6,509,139
2	23	Contractual Services	648,700	—77,000	571,700
2	24	Travel	73,300	—33,900	39,400
2	25	Commodities	283,600	—81,400	202,200
2	26	Oper. of Auto. Equip.	5,400	—1,400	4,000
2	28	Retirement	435,954	—133,954	302,000
2	29	Equipment	225,600	—224,600	1,000
2	30	Books, Library	152,200	—115,000	37,200
3	1	Telecommunications	58,800	—5,000	53,800
3	2	Awards and Grants	65,700	—10,700	55,000
3	3	Total	(9,054,086)	(—1,200,247)	(7,853,839)
3	6	Personal Services	15,949,000	—2,455,512	13,493,488
3	7	Contractual Services	2,420,500	—690,700	1,729,800
3	8	Travel	109,000	—11,200	97,800
3	9	Commodities	624,300	—180,000	444,300
3	10	Oper. of Auto Equip.	30,000	—12,500	17,500
3	12	Retirement	898,432	—275,932	622,500
3	13	Equipment	69,700	—60,000	9,700
3	14	Books, Library	422,120	—294,620	127,500
3	16	Telecommunications	145,000	—35,045	109,955
3	17	Awards and Grants	180,000	—54,100	125,900
3	18	Total	(20,918,052)	(—4,069,600)	(16,848,443)
3	22	Contractual Services	67,000	—7,000	60,000
3	23	Travel	25,000	—1,000	24,000
3	27	Retirement	12,876	—3,976	8,900
3	30	Total	(391,205)	(—11,976)	(379,229)
3	31	Total, Section 1	(59,881,911)	(—9,056,362)	(50,825,549)
		Subtotal	$56,671,147	$—9,056,362	$47,614,785
Add:		Totals approved as enacted			$50,608,579
		Revised Total			$98,223,364

The foregoing reductions are necessary if the State is to maintain its fiscal integrity consistent with my messages of July 13, 1971 entitled "Budget Actions for Fiscal Year 1972" and "Higher Education Appropriations" addressed to the members of the 77th General Assembly, as filed with the Secretary of State, pursuant to Article IV, Section 9, of the Constitution of 1970.

S.B. 650

July 22, 1971

I herewith return, without my approval, Senate Bill 650, entitled "An Act to amend Section 22.1 of 'An Act creating the Department of Children and Family Services, codifying its powers and duties, and repealing certain Acts and Sections herein named', approved June 4, 1963, as amended."

This bill is identical to House Bill 2681. Inasmuch as I have this day approved House Bill 2681, there is no legislative purpose to be served by permitting Senate Bill 650 to become law.

S.B. 652

September 8, 1971

I herewith return, without my approval, Senate Bill 652 entitled, "An Act to repeal Section 2-5 and to amend Section 25-5 of 'The Election Code', approved May 11, 1943, as amended."

This bill seeks to implement the Constitution of 1970 by amending our Election Code in that section which provides for the appointment by the Governor in case of vacancy in other constitutional offices. Specifically, the bill would delete the reference to the Auditor of Public Accounts and substitute "Comptroller" and strike the reference to the Superintendent of Public Instruction in its entirety.

Although this legislation properly implements the Constitution of 1970, its submission to me at this time is premature and would only create an ambiguity in the law concerning the appointment of powers of the Governor in the event that either of these offices would become vacant. Under Section 9 of the Transition Schedule to the Constitution of 1970, it is provided that "all officers filling any office by election . . . shall continue to exercise the duties thereof, until their offices have been abolished or their successors elected and qualified in accordance with this Constitution or laws enacted pursuant thereto." At the present time, Illinois does not have a Comptroller, but rather an Auditor of Public Accounts and will continue to do so until a new

Comptroller is elected in the November election of 1972 and assumes office in 1973. To approve this bill could be construed as a limitation on the right of the Governor to fill the office of Auditor by appointment in the case of vacancy.

As concerns the office of Superintendent of Public Instruction, Article X, Section 2(b) of the Constitution of 1970, provides that a constitutional State Board of Education shall appoint a chief state educational officer. Section 7 of the Transition Schedule provides that Section 2(b) of Article X is to take effect upon the existence of a vacancy in the office of Superintendent of Public Instruction. However, at the present time the General Assembly has enacted no legislation creating a State Board of Education. The only remaining provision in the law concerning the appointment of this officer in the event of vacancy is Section 25-5 of our Election Code, which is removed by Senate Bill 652.

Although I do not reach the question of whether the Governor retains the right to appoint either of these constitutional officers at the present time in case of vacancy, I do not believe that the question should be complicated by the approval of this legislation at this time.

S.B. 664 and S.B. 665, see approval message for H.B. 207

S.B. 710
September 1, 1971

I herewith return Senate Bill 710 entitled, "An Act to amend Section 4.1 of the 'Illinois Land Surveyors Act', approved July 29, 1939, as amended."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970, I am returning Senate Bill 710 with the following specific recommendation for change:

> Amend Senate Bill 710 by striking lines 20 and 21 and inserting in lieu thereof the following:
>
> > "*Associate degree in civil engineering or land surveying by an accredited junior college shall be considered as.*"

Senate Bill 710 seeks to credit certain junior college work toward the experience required to be a licensed land surveyor. As enacted, the bill provides that satisfactory completion of each one-half of the academic credit necessary for the awarding of an associate degree in an accredited junior college offering courses in civil engineering or land surveying may be considered by the Department of Registration and

Education as equivalent to the completion of one year of the eight years of land surveying experience required under Section 4 of the Land Surveyors Act.

I agree with the intent of this bill which is to recognize academic work taken in the field of civil engineering or land surveying in junior colleges as being equivalent to land surveying experience.

A similar provision is already in the law granting recognition of academic work in those fields taken in accredited four year institutions. However, the language of the bill as enacted would not require the applicant *to have taken* the course work in the fields of civil engineering or land surveying. He would only have had to take course work leading to an associate degree in any subject as long as the junior college was accredited and did offer instructions in civil engineering or land surveying. The change recommended will require that the academic credit obtained must be in the field of civil engineering or land surveying.

S.B. 715

August 12, 1971

I am herewith returning, without my approval, Senate Bill 715, entitled "An Act to require the payment of interest by lessors of residential property on security deposits made by lessees."

Senate Bill 715 is identical to House Bill 53, which I have previously approved. Therefore, no legislative purpose would be served by permitting this bill to become law.

S.B. 717

July 16, 1971

I herewith return Senate Bill 717 entitled, "An Act making certain appropriations and reappropriations to The Board of Trustees of the University of Illinois." I have approved this bill in a total amount of $213,708,183.

I.

Pursuant to the authority vested in me by the provisions of Article IV, Section 9(d) of the Constitution of 1970, I have vetoed the following item on page 6, lines 7 through 10:

> "For contingencies to cover expenditures for purposes for which the amount specified in any of the above items enumerated is, or becomes insufficient .... $309,000"

II.

Also pursuant to the authority vested in me by the provisions of Article IV, Section 9(d) of the Constitution of 1970, I have reduced the following items and approved those items for expenditure in their reduced amount as stated:

Page	*Line*	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
1	11	Personal Services	$138,321,672	$—5,839,672	$132,482,000
1	22	Contractual Services	10,315,000	—2,465,000	7,850,000
1	23	Travel	655,000	—245,000	410,000
1	24	Commodities	7,563,000	—463,000	7,100,000
1	25	Equipment	3,250,000	—2,050,000	1,200,000
1	26	Telecommunications	1,430,000	—65,000	1,365,000
2	8	Contractual Services	1,021,297	—12,243	1,009,054
2	13	Retirement	118,827	—36,527	82,300
2	15	Books, Library	553,500	—15,000	538,500
2	19	Total	(4,382,159)	(—63,770)	(4,318,389)
2	22	Personal Services	7,026,432	—517,293	6,509,139
2	23	Contractual Services	648,700	—77,000	571,700
2	24	Travel	73,300	—33,900	39,400
2	25	Commodities	283,600	—81,400	202,200
2	26	Oper. of Auto Equip.	5,400	—1,400	4,000
2	28	Retirement	435,954	—133,954	302,000
2	29	Equipment	225,600	—224,600	1,000
2	30	Books, Library	152,200	—115,000	37,200
3	1	Telecommunications	58,800	—5,000	53,800
3	2	Awards and Grants	65,700	—10,700	55,000
3	3	Total	(9,054,086)	(—1,200,247)	(7,853,839)
3	6	Personal Services	15,949,000	—2,455,512	13,493,488
3	7	Contractual Services	2,420,500	—690,700	1,729,800
3	8	Travel	109,000	—11,200	97,800
3	9	Commodities	624,300	—180,000	444,300

3	10	Oper. of Auto Equip.	30,000	—12,500	17,500
3	12	Retirement	898,432	—275,932	622,500
3	13	Equipment	69,700	—60,000	9,700
3	14	Books, Library	422,120	—294,620	127,500
3	16	Telecommunications	145,000	—35,045	109,955
3	17	Awards and Grants	180,000	—54,100	125,900
3	18	Total	(20,918,052)	(—4,069,609)	(16,848,443)
3	22	Contractual Services	67,000	—7,000	60,000
3	23	Travel	25,000	—1,000	24,000
3	27	Retirement	12,876	—3,976	8,900
3	30	Total	(391,205)	(—11,976)	(379,229)
3	31	Total, Section 1	(59,881,911)	(—9,056,362)	(50,825,549)
		Subtotal	$56,671,147	$—9,056,362	$47,614,785
		Add: Totals approved as enacted			$50,608,579
		Revised Total			$98,223,364

The foregoing reductions are necessary if the State is to maintain its fiscal integrity consistent with my messages of July 13, 1971 entitled "Budget Actions for Fiscal Year 1972" and "Higher Education Appropriations" addressed to the members of the 77th General Assembly, as filed with the Secretary of State, pursuant to Article IV, Section 9, of the Constitution of 1970.

S.B. 719

September 27, 1971

I herewith return without my approval, Senate Bill 719, entitled "An Act to amend Sections 3-1, 4-2, 4-8, 4-23, 4-23.01, 5-2, 5-7, 5-29.01, 5-29.02, 6-27, 6-29, 6-35, 6-67.01, 6-67.02, 7-19, 7-43, 17-9, 17-10, 20-3 and 21-1.01 of and to add Sections 3-1.1, 4-23.02, 5-29.03 and 6-67.03 of 'The Election Code', approved May 11, 1943, as amended."

This bill proposes amendments to twenty sections of the Election Code and adds four new paragraphs. This bill was designed to conform our Illinois Election Code to (1) the Federal Voting Rights Act which permitted 18 year old citizens to vote for federal officers and on federal questions only, and (2) the 1970 Illinois Constitution in respect to residency requirements.

Since this bill was drafted, an amendment to the Constitution of the United States has been ratified which operates to lower the minimum voting age to 18.

This action radically affects Senate Bill 719 by making it out of date. Because of the numerous and substantial changes that have to be made in this bill and the proximity of the October session, it would be best, in my opinion, for the General Assembly to draft an entirely new bill.

S.B. 734, S.B. 735, S.B. 738, see approval message for H.B. 2040.

S.B. 742
July 16, 1971

I herewith return Senate Bill 742 entitled "An Act making certain appropriations and reappropriations to the Board of Regents." I have approved this bill in a total amount of $93,470,039.

I.

Pursuant to the authority vested in me by the provisions of Article IV, Section 9(d) of the Constitution of 1970, I have vetoed the following items:

On page 6, line 8	
"For acquisition of land	$355,705"
On page 6, lines 33 and 34, and continuing on page 7, lines 1 and 2	
"For contingencies to cover expenditures for purposes for which the amount specified in any of the above items enumerated is, or becomes, insufficient	$ 50,000"
On page 7, lines 30 through 34	
"For contingencies to cover expenditures for purposes for which the amount specified in any of the above items enumerated is, or becomes, insufficient	$274,994"

II.

Also pursuant to the authority vested in me by the provisions of Article IV, Section 9(d) of the Constitution of 1970, I have reduced the following items and approved those items for expenditure in their reduced amount as stated:

Page	*Line*	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
1	14	Personal Services	$22,265,977	$—1,249,369	$21,016,608
1	16	Retirement	1,272,628	—390,928	881,700
1	17	Contractual Services	2,273,178	—81,970	2,191,208
1	18	Travel	95,000	—5,510	89,490
1	19	Commodities	780,000	—77,868	702,132
1	20	Equipment	400,000	—35,700	364,300
1	22	Oper. of Auto Equip.	70,000	—1,600	68,400
1	25	Awards and Grants	220,700	—28,000	192,700
1	28	Personal Services	26,905,908	—771,744	26,134,164
1	30	Retirement	1,728,922	—531,022	1,197,900
1	31	Contractual Services	4,643,000	—343,000	4,300,000
1	32	Travel	245,000	—100,000	145,000
1	33	Commodities	845,000	—135,000	710,000
1	34	Equipment	769,000	—224,000	545,000
1	35	Library, Books	579,000	—221,000	358,000
1	36	Oper. of Auto Equip.	240,000	—90,000	150,000
1	37	Matching Funds	115,000	—55,000	60,000
2	1	Telecommunications	277,000	—7,000	270,000
2	7	Retirement	151,814	—46,614	105,200
2	8	Contractual Services	1,029,127	124,914	904,213
2	11	Equipment	420,441	—112,000	308,441
2	12	Library, Books	570,000	—70,000	500,000
2	21	Retirement	10,574	—3,274	7,300
2	22	Contractual Services	92,000	—15,000	77,000
2	27	Telecommunications	8,200	—1,000	7,200
6	9	Equipment	823,196	—261,847	561,349
6	12	Preliminary Studies etc.,	223,686	—155,686	68,000
6	22	Imp. to Grounds, etc.	449,480	—117,083	332,397

6	32	Enlargement, Rehab., etc.	158,062	—37,167	120,895
7	5	Acquisition of Land	1,603,302	—712,069	891,233
7	6	Equipment	1,202,158	—226,200	975,958
7	9	Preliminary Studies, etc.	469,332	—116,707	352,625
7	19	Imp. to Grounds, etc.	324,636	—27,122	297,514
7	29	Enlargement & Rehab., etc.	675,506	—31,988	643,518
8	11	Campus devel., etc.	1,768,640	—43,449	1,725,191
9	5	Rehab. & Modernization, to be apportioned as follows:	254,285	—99,666	154,619
9	7	Illinois State University	(110,291)	(—40,058)	(70,233)
9	8	Northern Illinois University	(143,994)	(—59,608)	(84,386)
		Subtotal	$73,959,752	$—6,550,497	$67,409,255
		Add: Remaining totals approved as enacted			26,060,784
		Revised Total			$93,470,039

The foregoing item veto and reductions are necessary if the State is to maintain its fiscal integrity consistent with my messages of July 13, 1971, entitled "Budget Action For Fiscal Year 1972" and "Higher Education Appropriations" addressed to the members of the 77th General Assembly, as filed with the Secretary of State, pursuant to Article IV, Section 9, of the Constitution of 1970.

S.B. 796
July 22, 1971

I herewith return, without my approval, Senate Bill 796, entitled "An Act making an appropriation to the Secretary of State for PHASES I and II of the rehabilitation of the State Capitol Building and for utility needs of certain buildings in the City of Springfield and the expansion of the power plant, and other necessary purposes."

This bill is identical to House Bill 2943. Inasmuch as I have this day approved House Bill 2943, there is no fiscal or legislative purpose to be served by permitting Senate Bill 796 to become law.

S.B. 797
July 22, 1971

I herewith return, without my approval, Senate Bill 797, entitled "An Act making an appropriation to the Secretary of State for PHASE III of the rehabilitation of the State Capitol Building; for repairs, alterations and rehabilitation of the interior and exterior of 3 motor vehicle services buildings in the City of Chicago; and for the State Capitol Building, Centennial Building, Archives Building, Power and Heating Plants, State Office Building, State Museum, Records Center Building, and Drivers License Warehouse, all located in the County of Sangamon; and for the construction or eventual construction of a State Library Building and a Motor Vehicle Services Building in the County of Sangamon."

This bill contains identical items of appropriation as made in House Bill 2942 with the exception that House Bill 2942 includes an additional item of $250,000 for planning a new State Library. In view of my action today approving House Bill 2942, no fiscal or legislative purpose would be served by permitting Senate Bill 797 to become law.

S.B. 802
September 2, 1971

I herewith return, without my approval, Senate Bill 802 entitled, "An Act to amend Section 8 of the 'Court Reporters Act', approved August 5, 1965, as amended."

Senate Bill 802 increases the maximum annual salary for full time court reporters from $11,500 to $16,000 for a possible non-budgeted expenditure of nearly $1 million for this fiscal year. Subsequent to its enactment of Senate Bill 802, the General Assembly passed House Bill 1875 which raises the maximum full time salary levels to $13,000. This later enactment reflects the recommendation of the Judiciary Advisory Council and the appropriation for this increase is contained within Senate Bill 1214 which I have previously approved.

Today I am returning House Bill 1875 with my specific recommendation for change, making the $1,500 salary increase for court reporters subject to the President's executive order stabilizing wages and salaries. In view of these actions, no legislative or fiscal purpose would be served by permitting Senate Bill 802 to become law.

S.B. 828
September 2, 1971

I herewith return, without my approval, Senate Bill 828 entitled, "An Act to amend Section 114-14 of the 'Code of Criminal Procedure of 1963', approved August 14, 1963, as amended."

This bill is identical to House Bill 2388 which I have previously approved. Therefore, no legislative purpose would be served by permitting this bill to become law.

S.B. 829
September 2, 1971

I herewith return, without my approval, Senate Bill 829 entitled, "An Act to add Section 115-4.1 to the 'Code of Criminal Procedure of 1963', approved August 14, 1963, as amended."

This bill is identical to House Bill 2389 which I have previously approved. Therefore, no legislative purpose would be served by permitting this bill to become law.

S.B. 849
September 23, 1971

I am herewith returning, without my approval, Senate Bill 849, entitled "An Act to amend Section 3-1.2 of 'The Illinois Public Aid Code', approved April 11, 1967, as amended."

This bill would require the Department of Public Aid to disregard income to the maximum extent permitted by Federal law in determining the amount of grants in the program for the aged, the blind and the disabled.

While Illinois currently allows most of the exemptions under Federal law, this bill would require an additional disregard which would cost $14.7 million for the ten months remaining in this fiscal year. The State would have to supply $7.35 million of this added cost. Neither the Department's appropriation nor State revenues can accommodate this additional outlay.

We have full sympathy for the difficulties the aged, the blind and the disabled have in managing within the limitations of their current public aid budgets. However, the State's present severe fiscal situation precludes, at this time, any liberalization such as that mandated by this bill.

S.B. 909
September 17, 1971

I herewith return Senate Bill 909 entitled "An Act to amend Section 1-2 of 'The Public Junior College Act', approved July 15, 1965, as amended."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970, I am returning Senate Bill 909 with the following specific recommendation for change:

> Amend Senate Bill 909, on page 2, by striking lines 6 through 10, and inserting the following:
>
> "technical or technical fields.[leading directly to employment. At least 15% of all courses taught must be in fields leading directly to employment, one-half of which courses to be in fields other than business education.] *At least 30% of all students shall be enrolled in programs directly related to employment, one-half of which shall be in fields other than business education.*"

The intent of Senate Bill 909 was to increase the emphasis in our Junior Colleges on occupationally oriented programs. I agree wholeheartedly with that intent. However, in its present form, Senate Bill 909 does not adequately achieve that result. I believe the requirements for Junior College programs directly related to employment should include opportunities in all occupational education areas, not just semi-technical or technical fields.

To adequately carry out the legislative intent for occupationally oriented education, courses in all curriculum areas should be reviewed and opportunities for teacher aides, health care aides and other paraprofessionals should be emphasized. With the amendatory language above which I have suggested for Senate Bill 909, I believe this will be accomplished.

S.B. 916
September 23, 1971

I herewith return, without my approval, Senate Bill 916, entitled "An Act to add Section 14b to 'An Act in relation to State finance', approved June 10, 1919, as amended."

The principle advanced in Senate Bill 916 of recognizing those people who do not take advantage of all of their earned sick leave during their career as an employee of a governmental agency is a good one. There is a very delicate balance which needs to be maintained between discouraging the abuse of the sick leave privilege but at the same time encouraging its legitimate usage for the benefit of not only the individual's health but that of his fellow employees.

Senate Bill 916 is an attempt to recognize this need. However, this bill is limited in its coverage in that it applies only to employees of the University Civil Service System. Furthermore, it provides a direct cash incentive to discourage the abuse of sick leave which I feel is not in the best interest of the State.

House Bill 1228 which I have previously approved approaches the problem in a much more fair and realistic manner. First of all, it covers all of the State's employees rather than one particular group and secondly, it provides that unused sick leave can be credited towards increased retirement benefits for those employees who have devoted sufficient time to the State to be entitled to a retirement income.

I believe that Senate Bill 916 under some circumstances would encourage employees to leave the State service long before they might normally retire or would have even earned retirement rights, just to receive the immediate cash benefit to which they would be entitled under the provisions of this bill for the payment of unused sick leave.

S.B. 960
August 12, 1971

I herewith return, without my approval, Senate Bill 960, entitled "An Act authorizing the Department of Aeronautics to make improvements in the DuPage County Airport in DuPage and Kane Counties and making an appropriation therefor."

The serious pressures on the General Revenue Fund make it necessary to utilize alternative sources of funding for this project. The recently approved Transportation Bond issue would be the more appropriate source of funding if this improvement should conform to the systems plans of the Department of Aeronautics.

S.B. 964
September 17, 1971

I herewith return, without my approval, Senate Bill 964, entitled "An Act authorizing Southern Illinois University at Edwardsville, Western Illinois University and Northern Illinois University each to construct and operate a noncommercial educational television station and making an appropriation in connection therewith."

Senate Bill 964 appropriates $25,000 to the Board of Trustees of Southern Illinois University, the Board of Governors and the Board of Regents for engineering planning, legal services and land acquisition for the establishment of transmission tower sites. The bill also authorizes the construction and operation of noncommercial educational television stations at or near the campuses of Southern Illinois University, Western Illinois University and Northern Illinois University.

Both the substantive and fiscal implications of this legislation are more far-reaching than the resources of the State can accommodate at this time. Initially, this legislation appears premature to the extent that consideration does not appear to have been given to recent Federal Communications Commission rulings requiring expanded public service time on local commercial television stations, nor to the potential use of Cable Television in meeting the needs of students through public service broadcasting. Absent a clear plan of coordinated development of educational television services, we are poorly prepared to make any policy commitment as contained in this bill.

On fiscal grounds, I am advised by the Department of General Services that the estimated cost of engineering, land acquisition and construction of facilities authorized by this legislation would approximate $3,500,000. An appropriation of $25,000 for this purpose is wholly unrealistic and approval of this bill would be only fiscally irresponsible. Moreover, it would be most inappropriate to commit the State to a program which would require future expenditures in this amount at a time when we have had to reduce appropriations for higher education and public welfare.

Lastly, I am advised by the Bureau of the Budget that the bill is legally deficient in that a single item appropriation is made to three separate agencies of State government with no provision for separate administration or supervision of the funds.

S.B. 976
September 17, 1971

I am today filing with my approval the last of the many House and Senate Bills concerned with insurance which were passed by the General Assembly during the Regular Session which recessed June 30th. Without doubt, more responsive, responsible and remedial legislation in the field of insurance was enacted during this Session than at any other since the "Illinois Insurance Code" was approved in 1937. You, as members of the 77th Illinois General Assembly, should be justifiably proud of the impressive array of insurance bills of great complexity and far-reaching effect which you considered and passed.

On March 25, 1971, I submitted a Special Message on Insurance for your consideration. Much of the legislation described therein was passed by both houses of the General Assembly and approved by me.

In that message I called for the immediate enactment of an insolvency fund law. Earlier this summer I approved the Insurance Insolvency Fund Law which you had enacted. This statute — which will protect hundreds of thousands of our citizens from the financially catastrophic losses which have befallen those who found themselves insured with an insolvent insurer — is undoubtedly one of the most comprehensive and satisfactory Insolvency Fund Laws yet enacted by any state of the United States. It not only makes appropriate provisions for the handling of claims and reimbursements that make it possible to detect, at an early stage, the impending financial difficulty of a company so that steps may be taken to prevent an insolvency from occurring.

The passage and approval of Senate Bill 976, the "Illinois Plan", places this State in the vanguard of those which have taken steps to implement the concept of automobile accident reparations on a "no-fault" basis. This bill — the only one passed by any state in the union that complies with all of the guidelines established by the United States Department of Transportation for Compensation of Injured Victims of Automobile Accidents—is an especially noteworthy example of enlightened, progressive legislation. This is an unusual illustration of the type of exceptional action that can be produced by a legislative body when true bi-partisan consideration and support is given to a well-conceived proposal.

New laws to control and regulate the activity of out-of-state unauthorized insurers and insurance holding company systems provide our Department of Insurance with much needed powers in these two troublesome areas.

Many of the enactments are related to and in furtherance of the concept of "regulation for solidity" — the innovative young program effected during the past two years by our Department of Insurance. The ultimate goal of this Department program is the creation, in all respects, of an atmosphere of equity and fairness throughout the industry of insurance, instead of the Department being only a "watchdog" over the financial solvency of insurance companies.

In this category are bills which require that more funds be contributed for the formation of new insurance companies or for the addition of new lines of authority by an existing company and which grant the Director discretionary authority to review the operational history and "character" of a foreign or alien company applying for authority to do business in the State of Illinois. The Department also now has the ability to act to prevent the continuation of an existing pattern of operations which would tend to create a hazardous financial condition in some insurance company at a future date. And the powers of the Department to take action where a company has, in fact, become impaired are strengthened and modernized.

In other vital areas of regulation much needed legislation was also enacted. A more realistic brokers' bond requirement has been established making the amount of the bond and the indemnified party more appropriate to today's insurance marketing activities. All insurers writing automobile insurance are now required, as a condition of maintaining their certificate of authority, to participate in the Illinois Automobile Insurance Plan — the "assigned risk plan." The Illinois Property Insurance Placement Facility — the so-called "FAIR Plan" — has been expanded to allow it to accept risks from public educational institutions throughout the state. Illinois domestic life insurers are now authorized to write variable life insurance in the extremely competitive market of today. The Attorney General has been given power to take action against persons who, operating without license or authority, hold themselves out be be insurance agents, brokers or companies.

This is by no means a completely exhaustive list of the numerous progressive enactments which were presented by the General Assembly for my consideration. Other equally important Bills were enacted and approved modernizing and updating the Illinois Insurance Code and the regulatory administrative functions performed by the Department of Insurance under that Code.

It is especially important and noteworthy that the conception, drafting and presentation of this extremely competent body of legislation came from many sources. The Department of Insurance was involved in the preparation of many of these Bills. The Illinois Insurance Laws Study Commission, after much consideration and deliberation, presented certain of the more important of the Bills I have discussed above. And, in many instances, bills of great merit and extreme importance were presented by individual members of both the House and Senate. This is exactly the kind of exceptional activity which best demonstrates the efficacy of the American System of Government. Many people, with varying backgrounds and fields of expertise, have been able through our various branches of government and bipartisan system to suggest their own solutions to the problems in a complex and sometimes ill-understood field. The results of this application are well exemplified by the many Bills I have discussed above.

However, much remains to be done. Legislation still is needed which will preempt home rule units from regulating insurance companies and guarantee the retention of such regulation in the Illinois Department of Insurance. Illinois is without an insurance rating law or a mandatory assigned risk plan. Bills relating to these areas — and others — must be enacted as soon as possible.

Once again, I commend the 77th Illinois General Assembly for its efforts, and the results of these efforts. You are to be congratulated for the enactment of this truly impressive body of legislation in the field of insurance.

S.B. 978
September 17, 1971

I am herewith returning, without my approval, Senate Bill 978 entitled "An Act to add Section 701.1 to 'The Unemployment Compensation Act', approved June 30, 1937, as amended."

Senate Bill 978 is designed to accomplish a desirable goal in the administration of our welfare system. This bill would insert in the Unemployment Compensation Act a requirement that if an individual is eligible for unemployment compensation benefits, he shall be required to claim such benefits as a condition for qualifying for Public Assistance.

However, the Attorney General has advised me that this legislation is an unconstitutional enactment in that it is an amendment by reference. The Attorney General's opinion reads in part as follows:

> "Senate Bill No. 978 is in effect an amendment of the Public Aid Code, without even express reference to that Code in its language, whereas it purports to amend only the Unemployment Compensation Act. It is a superfluity in the Unemployment Compensation Act; it is, to be valid, a necessity in the Public Aid Code.
>
> "No one reading the Public Aid Code would be aware, if Senate Bill No. 978 became law, that an applicant for or a recipient of public aid who is eligible for unemployment compensation must apply for that compensation as a condition to the receipt of public aid benefits.

> "This clearly is, in my opinion, a bill violating Article IV, Section 8(d), Subparagraph 3, of the 1970 Constitution."

Although I am bound by oath to recognize this constitutional deficiency, I strongly encourage the General Assembly to consider and pass corrected legislation in the October session.

S.B. 1005
September 17, 1971

I herewith return, without my approval, Senate Bill 1005, entitled "An Act to amend Section 18-601 of 'The Illinois Vehicle Code', approved September 29, 1969, as amended, and to add Section 18-602 thereto."

Senate Bill 1005 authorizes the Illinois Commerce Commission to issue certificates of convenience and necessity without hearing, in order to relieve that agency of its present case load.

Since the introduction of this bill, the United States Supreme Court has, in the case of *Bell* v. *Burson,........ U.S.* ...., 91 S.Ct. 1586 (1971), laid down very stringent rules of procedural due process with respect to administrative decisions. I am advised that the abolition of hearings permitted by this bill raises constitutional questions as to whether substantive due process could be afforded under this bill. In view of this intervening court decision, it appears to be more appropriate to veto this enactment and consider a revised proposal in the October session of the General Assembly.

S.B. 1017
September 24, 1971

I herewith return, without my approval, Senate Bill 1017 entitled "An Act to amend Section 5 of 'The Business Corporation Act', filed July 13, 1933, as amended."

Senate Bill 1017 amends the Business Corporation Act to prohibit the ownership by any corporation organized under the laws of Illinois or licensed to transact business in Illinois from owning or controlling 15% or more of the voting shares of two or more savings and loan associations doing business in this State or in any other state.

Senate Bill 1017 prohibits any corporation from such ownership. However, the bill does not prohibit such business entities as partnerships, joint ventures, business trusts, voting trusts and similar organizations from such ownership. The Illinois Bank Holding Company Act of 1957 which is the counterpart of this bill in its applicability to banks, also prohibits these other business entities from owning or controlling savings and loan associations. The federal Bank Holding Company Act of 1956 contains similar prohibitions. Therefore, Senate Bill 1017 is incomplete since it applies to only corporate ownership and does not prohibit ownership by other types of business entities.

Senate Bill 1017 does not contain exemptions for certain types of transactions. The Illinois Bank Holding Company Act of 1957 exempts a "company," as defined therein, in any transaction when it is acting (a) in a fiduciary capacity, (b) in connection with its underwriting of bank shares and which are held only for such period of time which will permit their sale, (c) in the ordinary course of securing or collecting a debt previously contracted in good faith. Both the federal Savings and Loan Holding Company Act and the federal Bank Holding Company Act of 1956 contain similar exemptions, but none of these are found in Senate Bill 1017.

The failure to include these exemptions would mean that owners of large portions of savings and loan stock could not pledge that stock to a state chartered bank in order to borrow money because, in many cases, the bank would be unable to foreclose on the pledged stock.

Also, the bill only applies to corporations "organized under the laws of this state or licensed to transact business in this state." This provision would allow some corporations, such as a national bank doing business in Illinois, to own or control 15% or more of such voting shares in escrow, or while acting as some other type of fiduciary. However, a state chartered bank would be prohibited from this same activity. The national bank would thereby be at a competitive advantage.

The amendatory language contained in this bill provides that a corporation "may continue to own or control those voting shares it owns or controls on May 10, 1971." This establishes an arbitrary cutoff date several months prior to the enactment or approval of this law beyond which time no holding company can acquire ownership of other savings and loan associations. A serious constitutional question is raised by this provision.

S.B. 1088
August 12, 1971

I am returning herewith, without my approval, Senate Bill 1088, entitled "An Act to amend Section 2-117 of the 'Illinois Pension Code', approved August 6, 1968, as amended."

This bill would reopen until December 1, 1972, the privilege of membership in the system for members who previously waived membership under the option prescribed by law.

A similar amendment is embodied in Senate Bill 476, except that Senate Bill 476 extends the date for rescinding a waiver to December 1, 1971 instead of December 1, 1972. I approved Senate Bill 476 on August 4, 1971. Therefore, no legislative purpose would be served by permitting this bill to become law.

S.B. 1096
September 17, 1971

I am returning herewith Senate Bill 1096 entitled "An Act to amend Section II of the 'Personnel Code', approved July 18, 1955, as amended."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970, I am returning Senate Bill 1096 with the following specific recommendation for change:

> Amend Senate Bill 1096 on page 2 by striking lines 22 and 23.

This bill amends the Personnel Code by requiring the Civil Service Commission to render a final decision after any hearing to remove, discharge, demote or suspend any officer or employee under Civil Service within sixty days after the receipt of the transcript of the proceedings. It also states that for the purpose of the subject section full compensation shall not include deductions for outside earnings.

The purpose of an award for back pay is to protect the employee, not punish the State. The employee is protected if he is compensated at the same rate he would earn, if not suspended, no matter what the source of compensation is.

S.B. 1098
September 2, 1971

I herewith return Senate Bill 1098 entitled, "An Act to amend Sections 3, 3.1, 3.2 and to repeal Sections 3.9, 3.11 and 3.12 of 'An Act concerning fees and salaries, and to classify the several counties of this state with reference thereto', approved March 22, 1872, as amended."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970. I am returning Senate Bill 1098 with the following specific recommendation for change:

> Amend Senate Bill 1098 on page 2, by striking lines 7 through 11, and inserting in lieu thereof the following: "*associate judge*

[magistrate] who is a licensed attorney at law of this State shall be paid $18,500 per year out of the State Treasury, and each *associate judge* [magistrate] who is not a licensed attorney at law in this State shall be paid $15,000 per year out of the State Treasury."; and

On page 2, line 13, by striking "[18,500] *$21,500*" and inserting in lieu thereof "$18,500"; and

On page 2, by inserting immediately after line 22, the following: "Section 3. This amendatory Act of 1971 shall be subject to Executive Order 11615, dated August 15, 1971, as issued by the President of the United States, to stabilize prices, rents, wages and salaries, together with any modification or extension thereof by or pursuant to Federal law."

Senate Bill 1098 enacts a non-budgeted pay increase for our state judiciary. This is the second increase in two years which I have been asked to approve. In 1969 I signed legislation granting increases ranging from 7% to 25%, with the single highest increases being extended to magistrates.

Senate Bill 1098 provides an average 5.5% increase for our elected judiciary and equalizes the compensation of former associate judges who were elevated to the position of circuit judge under our new constitution. However, appointed magistrates who are now constitutional associate judges would receive increases at a total annual cost of nearly $900,000.

I find it difficult to fiscally justify this non-budgeted salary increase for magistrates at a time when our limited state resources have compelled me to reduce appropriations for higher education and welfare. I am also opposed to this increase which has the effect of rewarding appointed magistrates for the historical accident of being elevated to associate judge without recourse to the electorate and without a meaningful determination of the qualifications for such office. The citizens of Illinois deserve the most qualified persons in judicial office. Lacking the safeguards for raising qualifications for appointment to higher judicial office, I believe it unwise public policy to raise the compensation for the same offices.

Lastly, in view of the President's recent economic action imposing wage and price controls, any legislated salary increase should be made subject to the President's executive order.

S.B. 1128
August 4, 1971

S.B. 1128
August 4, 1971

I am herewith returning, without my approval, Senate Bill 1128, entitled "An Act to amend Section 5 of the 'Medical Practice Act', approved June 30, 1923, as amended."

Senate Bill 1128 is identical to House Bill 2157, which I approved July 26, 1971. Therefore, no legislative purpose would be served by permitting this bill to become law.

S.B. 1140
July 15, 1971

I herewith return Senate Bill 1140 entitled, "An Act making an appropriation and reappropriation to the Board of Higher Education."

I have approved this bill in a total amount of $19,100,000. Pursuant to the authority vested in me by the provisions of Article IV, Section 9(d) of the Constitution of 1970, I have reduced the following item for expenditure in the reduced amount as stated:

Page	*Line*	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
1	7	Grants	$14,366,095	—$1,366,095	$13,000,000
Add:		Totals approved as enacted			6,100,000
		Revised Total			$19,100,000

The foregoing reduction is necessary if the State is to maintain its fiscal integrity consistent with my message entitled "Budget Actions for Fiscal Year 1972" and "Higher Education Appropriations" addressed to the members of the 77th General Assembly, as filed with the Secretary of State, pursuant to Article IV, Section 9, of the Constitution of 1970.

S.B. 1142
July 13, 1971

I herewith return Senate Bill 1142 entitled "An Act making appropriations to the Board of Higher Education."

I have approved this bill in a total amount of $1,177,800. Pursuant to the authority vested in me by the provision of Article IV, Section 9(d) of the Constitution of 1970, I have reduced the following items and approved these items for expenditure in their reduced amounts as stated:

Page	Line	Appropriation Item	Amount Enacted	Reduced Herewith	Approved
1	10	Personal Services	$ 800,965	$ —240,965	$ 560,000
1	12	State Contribution to Emp. Ret System	41,578	—12,778	28,800
1	13	Contractual Services	156,600	—13,600	143,000
1	14	Travel	70,500	—13,500	57,000
1	15	Commodities	13,000	—3,000	10,000
1	17	Equipment	8,000	—3,000	5,000
1	19	Total	(1,122,643)	(—286,843)	(803,800)
		Subtotal	$1,090,643	$ —286,843	$ 803,800
Add:		Totals approved as enacted			374,000
		Revised Total			$ 1,177,800

The foregoing reductions are necessary if the State is to maintain its fiscal integrity consistent with my messages of this date entitled "Budget Actions For Fiscal Year 1972" and "Higher Education Appropriations" addressed to the members of the 77th General Assembly, as filed with the Secretary of State, pursuant to Article IV, Section 9, of the Constitution of 1970.

S.B. 1144
September 20, 1971

Last fall I announced that Illinois was embarking upon new and innovative approaches to guarantee that Illinois savings and loans would serve the consumer public even more fully. Our first step in implementing these reforms was the introduction of a new Selective Examination and Supervision Program (SES).

Early this year I appointed John J. Lanigan as the Commissioner of Savings and Loan Associations of the State of Illinois. I charged him with the responsibility to pursue this program of reform, to continue to upgrade the staff of the Commissioner's Office, and to suggest legislation to provide the supervisory catalyst necessary for encouraging a strong, progressive and responsive savings and loan industry, and one which could best serve the consumer public at every economic and social level. Legislation which was the product of the thoughtful work of private citizens, legislators, the savings and loan industry and the Commissioner was introduced to help accomplish these goals.

At this time I have before me this legislation. The bills which I am signing today go a long way toward providing the Commissioner's Office with the most effective tools to meet the challenges we face today. These bills make it possible to develop unique and affirmative approaches to better fulfill the needs of the consumer. They also provide stronger supervisory capacity to eliminate former undesirable practices and to protect and reaffirm the integrity of the industry. Our work is not finished, but we have made significant strides forward.

One of the most innovative aspects of the legislative program is Senate Bill 1144, the "facility bill." This bill will enable the Commissioner's Office to authorize the retention of a facility in a neighborhood undergoing economic change. The Savings and Loan Commissioner is given the authority to allow an association to move from a neighborhood, which no longer is able to support the entire institution, and to at the same time maintain a service facility at its old location in that neighborhood. This provision will assure that the changing neighborhood will continue to be served by a financial institution.

An institution thus will be able to generate new capital from a new area and channel it into the older changing areas where it might not otherwise be available. The net result will be to provide better service to the consumer, allow the savings and loan associations to become stronger, and at the same time participate in helping to solve inner-city problems in areas which otherwise might no longer be served by an association.

In addition, the facility bill will allow an association which has become financially weakened to merge with a more financially sound association. The stronger association will be allowed to operate the former institution as a service facility, thereby providing additional security to the individual depositors and assuring savings and loan services to the neighborhood at large.

The facility bill is an excellent example of the bipartisan support which this impressive list of savings and loan bills symbolizes. Legislators of both parties worked together successfully to enact this and other progressive proposals.

The other bills which I am signing today are again examples of positive reforms geared to enable the savings and loan industry to become even more responsive to the consumers in Illinois. One bill, for example, liberalizes the concept of service corporations by enabling a single association to form a wholly owned service corporation. Another bill allows increased accumulation of reserves to strengthen an association's financial condition. Another expands lending limitations to give greater stimulus to the housing market, among other benefits.

Other bills being signed today strengthen supervisory measures. These require working boards of directors, more timely and accurate filing of reports, and automatic suspension of employees, officers or directors under certain circumstances. Several loopholes in the conflict of interest provisions also are closed.

All of these measures represent another significant step in our continuing effort to protect and preserve the interests and well-being of the citizens of this State. At the same time they provide the savings and loan associations of Illinois with expanded horizons for services and, in turn, enlarged opportunities to prosper.

S.B. 1174
September 8, 1971

I herewith return, without my approval, Senate Bill 1174 entitled, "An Act to amend Section 24-2 of the 'Criminal Code of 1961', approved July 28, 1961, as amended."

The provisions of Senate Bill 1174 are substantially identical to Senate Bill 515 which I have approved today. Therefore, no legislative purpose would be served by permitting this bill to become law.

S.B. 1190
July 16, 1971

I herewith return Senate Bill 1190 entitled, "An Act to provide for the ordinary and contingent expenses of Southern Illinois University." I have approved this bill in a total amount of $95,061,571.

I

Pursuant to the authority vested in me by the provisions of Article IV, Section 9(d) of the Constitution of 1970, I have vetoed the following items:

on page 5, line 12

"For land acquisition, Medical Center .... 5,001"

on page 6, lines 28 through 33 and on page 7, lines 1 and 2

"For residential utilities, site development, roads,
lighting, land development, and improvements,

including such funds as may be necessary to match federal and state funds and funds from other sources, for preparation of plans and specifications, and land acquisition, and all other things necessary for the completion of work 100,000”

on page 7, lines 6 and 7

“For preliminary studies, plans and specifications for future construction 177,406”

II

Also pursuant to the authority vested in me by Article IV, Section 9(d) of the Constitution of 1970, I have reduced the following items and approved those items for expenditure in their reduced amounts as stated:

Page	*Line*	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
1	12	Personal Services	$56,300,000	$—1,550,000	$54,750,000
1	13	Contractual Services	8,815,156	—1,317,456	7,497,700
1	14	Travel	593,500	—113,000	480,500
1	15	Commodities	3,414,000	—732,000	2,682,000
1	16	Equipment	3,939,000	—2,009,100	1,929,900
1	17	Oper. of Auto Equip.	598,500	—151,200	447,300
1	18	Telecommunications	1,052,500	—237,100	815,400
1	21	Retirement	2,943,968	—904,268	2,039,700
1	25	Total	(78,303,784)	(—7,014,124)	(71,289,660)
3	13	Equipping Buildings, etc.	145,252	—30,000	115,252
3	17	Campus improvements, etc.	161,663	—80,000	81,663
3	27	Equipping Buildings, etc.	1,058,325	—673,691	384,634
4	7	Renovation, etc.	270,059	—1,799	268,260
4	15	Preliminary Studies	233,452	—160,452	73,000
4	22	Renovations, etc.	739,051	—97,141	641,910
4	30	Utilities, etc.	506,438	—6,438	500,000

5	8	Preliminary Studies	290,077	—58,131	231,946
5	11	Preliminary Studies	542,382	257,541	284,841
5	23	Equipping Buildings, etc.	650,000	—330,000	320,000
6	13	Site Development	275,875	—22,400	253,475
		Subtotal	$82,529,198	$—8,731,717	$73,797,481
Add:		Remaining Totals approved as enacted			21,264,090
		Revised Total			$95,061,571

The foregoing item vetoes and reductions are necessary if the State is to maintain its fiscal integrity consistent with my messages of July 13, 1971, entitled "Budget Action For Fiscal Year 1972" and "Higher Education Appropriations" addressed to the members of the 77th General Assembly, as filed with the Secretary of State, pursuant to Article IV, Section 9, of the Constitution of 1970.

S.B. 1195, S.B. 1196, S.B. 1197, refer to Public Act Numbers 77-1656, 77-1657, 77-1658, respectively, for content of these certified bills.

S.B. 1198
September 10, 1971

I herewith return, without my approval, Senate Bill 1198 entitled, "An Act creating the Commission on Science and Technology, defining its powers and duties, and making an appropriation therefor."

Senate Bill 1198 would create a fourteen member legislative interim commission to study technological progress. This bill also appropriates $15,000 for this fiscal year for the operations of this commission.

For the reasons contained in my message accompanying the veto of House Bill 1878, I herewith veto and withhold my approval from Senate Bill 1198.

S.B.1213
July 16, 1971

I herewith return Senate Bill 1213 entitled, "An Act to provide for the ordinary and contingent expenses of The Office of the Superintendent of Public Instruction." I have approved this bill in a total amount of $221,092,800, of which $115,438,600 is from the General Revenue Fund.

Pursuant to the authority vested in me by the provisions of Article IV, Section 9(d) of the Constitution of 1970, I have vetoed the following items:

on page 7, lines 21 through 26

> "For the preparation of alternative models and plans for decentralizing services and activities of the Office of the Superintendent of Public Instruction for the purpose of improving the delivery of such services to local education agencies .... $ 80,000"

on page 8, lines 1 through 6

> "For the preparation of plans for an experimental school for children and youth from ages three and four to high school graduation, in which the most promising alternatives to present practice can be tested in an operating school setting .... $ 62,000"

on page 8, lines 7 through 12

> "For required planning to assure a smooth transition from the present operations of the Office of the Superintendent of Public Instruction to operations of the state education agency under the State Board of Education .... $ 58,000"

on page 11, lines 16 through 22

> "For financial assistance and expenses of administration to enable local educational agencies to meet the needs of those children who come from environments where the dominant language is other than English .... $ 200,000"

on page 11, lines 23 through 28

> "For the reimbursement of participating educational agencies and expenses of the administration of those programs providing assistance to local educational agencies dealing with problems related to school desegregation .... $ 150,000"

on page 11, lines 29 through 32 and on page 12, lines 1 and 2

> "For the study of quality health related programs attempting to combat the stresses today's society

is placing upon our young people and including the administrative cost of such study	$	250,000"

on page 12, lines 27 through 30

"For the proper preparation of personnel involved in programs in services for deaf children in critical areas of need	$	50,000"

The appropriation as passed exceeds the amount requested and included in the budget by $5,660,400 in the General Revenue Fund. The effect of my action on this bill is to approve it at a level which remains $4,810,400 in excess of budgeted resources. The amount I am approving is $9.2 million above the FY 1971 appropriation.

I am approving without change the operations portion of this appropriation. While the operations budget is $102,507 less than was appropriated last year, it provides the Office of the Superintendent of Public Instruction with 20% more funds than are actually being spent from FY 1971 appropriations.

The grant-in-aid items being vetoed are not established as specific statutory programs imposed by the General Assembly. Unlike other grant-in-aid programs, there is no indication of the terms for qualifying for aid or to whom the aid is directed. It is preferable that substantive legislation be enacted detailing any new grant program, including its terms and conditions and the basis for distributing the grants.

Many of the items are, on their face, programs which are not properly classified as grants-in-aid, but are more appropriately considered as part of an operating budget. With a budget for operations that includes a $2 million increase over FY 1971 spending, the Office of the Superintendent should be able to pursue much of the planning and studies described in the items I am vetoing.

I am vetoing one item that is both a proper grant-in-aid and also pursuant to a statute. The $200,000 grant for bilingual education is to implement Sections 10-20.8a and 34-18.2 of the School Code. However, House Bills 1074 and 1078 which have not yet been presented to me repeal Section 10-20.8a and amend Section 34-18.2 and establish new grant conditions for bilingual programs. Both bills also include implementing appropriations. I am favorably disposed to that legislation, and believe that approval of the line item in Senate Bill 1213 would be inconsistent with my intended actions on House Bills 1074 and 1078.

S.B. 1216
July 13, 1971

I herewith return Senate Bill 1216 entitled "An Act to provide for the ordinary, contingent and distributive expenses of the Department of Public Aid."

I have approved this in the total amount of $1,065,498,500. Pursuant to the authority vested in me by the provisions of Article IV, Section 9(d) of the Constitution of 1970, I have reduced the following items and approved these items for expenditure in their reduced amounts as stated.

Page	*Line*	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
2	20	Medical Assistance under Article V	$360,794,500	$—25,000,000	$ 335,794,500
2	22	General Assistance and Local Aid to the medically indigent under Articles VI and VII	117,908,700	— 40,000,000	77,908,700
		Subtotal	$478,703,200	$—65,000,000	$ 413,703,200
Add:		Items approved as enacted			$ 651,795,300
		Revised Total, S.B. 1216			$1,065,498,500

The foregoing reductions are necessary if the State is to maintain its fiscal integrity consistent with my messages of this date entitled "Budget Actions for Fiscal Year 1972" and "The Public Aid Appropriations", addressed to the members of the 77th General Assembly, as filed with the Secretary of State, pursuant to Article IV, Section 9, of the 1970 Constitution.

S.B. 1221
September 17, 1971

I herewith return, without my approval, Senate Bill 1221, entitled "An Act to amend Section 38 of 'The Civil Administrative Code of Illinois', approved March 7, 1917, as amended."

Senate Bill 1221 requires that the Governor shall file with the General Assembly all appropriation bills necessary for implementation of the budget by the fourth Wednesday of March, three weeks after the statutory deadline of the submission of the budget.

This bill vests the Governor with a responsibility in an area in which he has no authority. Although under Article VIII, Section 2(a), the Governor is obligated to prepare and submit a State Budget, the constitutional tradition in this State has recognized the separation of branches of government and of constitutional officers within the Executive Department to the extent that the introduction of legislation has been the prerogative of the office to which the appropriation relates. To require the Governor to submit the appropriation for the General Assembly, the Judiciary, the Lieutenant Governor, the Auditor of Public Accounts, the Treasurer, and the Superintendent of Public Instruction, would not only defy tradition but conflict with the fiscal responsibility of these several offices.

Additionally, the constitutional tradition has vested the prerogative for filing of bills with the members of the General Assembly. To expand upon these traditions to include the right of the Governor to file bills would, in my judgment, raise serious questions of constitutionality under the doctrine of separation of powers.

S.B. 1225
September 23, 1971

I herewith return, without my approval, Senate Bill 1225, entitled "An Act to add Section 2-16 to 'The Illinois Public Aid Code', approved April 11, 1967, as amended."

Senate Bill 1225 would impose a one year residence requirement for persons to be eligible for public assistance in our State.

Although I sympathize with those who have the same serious concerns as I for checking the alarming rate of the growth in our welfare rolls, the clear dictates of the Constitution as specifically interpreted by the Attorney General in this case, as reflected in his opinion which is attached hereto, constrain me to veto this bill.

S.B. 1243
September 8, 1971

I herewith return, without my approval, Senate Bill 1243 entitled, "An Act making an appropriation to the Department of Business and Economic Development for making matching grants to regional port districts for capital expenditures for facilities for waterborne commerce."

Senate Bill 1243 provides for a non-budgeted appropriation of $1 million to regional port districts. State appropriations to regional port districts have been made in the past with the goal of making the districts self-sustaining and eliminating their dependence upon State resources. In recent years, this goal has been largely achieved. Given this fact, as well as the serious pressures on the State's General Revenue Fund which have compelled me to reduce appropriations for higher education and welfare, it is apparent that approval of this appropriation cannot be justified on a fiscal basis.

MESSAGES

REGULAR SESSION

HOUSE BILLS

H.B. 8
August 16, 1971

I herewith return, without my approval, House Bill 8 entitled, "An Act to amend Sections 1 and 4 of the 'Drug Abuse Control Act', approved August 17, 1967, as amended."

House Bill 8 is an amendment to the Drug Abuse Control Act. The Drug Abuse Control Act is repealed by Section 603 (b) of House Bill 787. Inasmuch as I have this day approved House Bill 787, it would be improper legislation to approve a bill which amends an Act that has been repealed.

H.B. 9
August 16, 1971

I herewith return, without my approval, House Bill 9 entitled, "An Act to amend Sections 2-17 and 38 of the 'Uniform Narcotic Drug Act', approved July 11, 1957, as amended."

House Bill 9 amends the Uniform Narcotic Drug Act. The Uniform Narcotic Drug Act is repealed by Section 603 (a) of House Bill 787. Inasmuch as I have this day approved House Bill 787, it would be improper legislation to approve a bill which amends an Act that has been repealed.

H.B. 16
July 2, 1971

Today I have filed, with my approval, House Bill 16.

This bill provides that no warranties of any kind, except a warranty of due care shall be applicable to the procuring, furnishing, donating, processing, distributing or using human whole blood, plasma, blood products, blood derivatives and products, corneas, bones, or organs or other human tissue for the purpose of injecting, transfusing or transplanting any of them in the human body. The necessity for this legislation was brought about, in part, by the recent Illinois Supreme Court decision *Cunningham* v *MacNeal Memorial Hospital, 47 Ill. 2nd 443 (1970).* That case held the MacNeal Memorial Hospital liable without fault for the furnishing of blood to a patient who subsequently contracted hepatitis, even though the blood was acquired from a reputable blood bank and the harmful virus probably was neither detectable nor preventable.

In approving this bill I have taken cognizance of the concern expressed by the Attorney General, in a response to my inquiry as to the form and constitutionality of this bill. In his letter of June 24, 1971 he stated:

> "If, in fact, the transactions which are covered by this Bill involve "transactions in goods" (U.C.C. §2-102), then the transactions are within the scope of the U.C.C. and the warranty provisions thereof (U.C.C. § §2-314, 2-315) when applicable, and this Bill, would, therefore, modify an existing Act thereby raising a question for the courts of this State as to whether the present enactment violates Article IV, Section 13 of the Constitution of Illinois."

The section referred to by the Attorney General is found in the Constitution of Illinois, 1870. A similar provision is not found in the Constitution of 1970. In view of the reservation of the Attorney General, I have purposely withheld my approval from this bill until after the effective date of the Constitution of 1970 to insure that the possible constitutional question would be rendered moot. Furthermore, I am of the opinion that the Constitution of 1970 does not contain any other language which would form the basis for a constitutional objection to this bill.

Lastly, to insure the necessary legal efficacy of my act of approval, I have previously signed House Bill 3029, being "An Act in relation to the effective date of laws", now entered of record as Public Act 77-147.

H.B. 26
September 17, 1971

I herewith return, without my approval, House Bill 26 entitled, "An Act authorizing and directing the Department of Public Works and Buildings to provide ferry services at certain locations on and across the Illinois River and making appropriations therefor."

House Bill 26 is a non-budgeted Road Fund appropriation of $280,000 for ferry boat services across the Illinois River near Pearl.

The project contemplated by this legislation is not within the fiscal year 1972 program of the Department of Public Works and Buildings. With major state highways providing access to river crossings to the north by bridge and to the south by ferry, the area's transportation needs are being met within our fiscal resources.

However, in recognition of the importance which the General Assembly attached to this ferry project by its passage of House Bill 26, I have asked the Department of Public Works and Buildings to review this ferry project and make a determination whether it is of sufficient priority to be included in the fiscal 1973 budget.

H.B. 27
August 27, 1971

I herewith return, without my approval, House Bill 27 entitled, "An Act to amend Section 2-118 of the 'Illinois Vehicle Code', approved September 29, 1969, as amended."

This bill deals with the hearings before the Secretary of State relating to the suspension, revocation or denial by that office of a license, permit or certificate. The hearings covered by the amendments proposed in this bill are held at the request of the licensee or applicant after the action of the Secretary.

The primary purpose of the bill is to give to the Secretary more time to act on the request for hearing than he has under the law as it now stands. This additional time would be most convenient to that office because of the large number of hearings; consequently, it would be more economical to the taxpayer in that it would reduce the number of hearing officers and other employees to handle this load.

However, the Secretary of State's office informs me that the Supreme Court of the United States, in its recent decision, *Bell* v. *Burson*, ... U.S...... 91 S.Ct. 1586 (1972), has made it quite clear that public economy is not a good reason to deny prompt hearings in the case of driving permits. This principle is all the more applicable to House Bill 27 which provides for extensions of hearing dates at the sole discretion of the Secretary of State. Therefore, the laudable purpose of this bill, to serve the interests of public economy, must give way to the strict constitutional right of the licensee to due process.

H.B. 46
July 21, 1971

Today I have filed with my approval House Bill 46, entitled, "An Act to add Sections 155.09 through 155.16 and Article XXXIV to the 'Illinois Insurance Code', approved June 29, 1937, as amended."

Since 1959, Illinois has established an unenviable record—29 insurance companies have had to be liquidated because of financial insolvency. Approximately 300,000 individuals either were insured by or had claims against at least one of these now defunct companies. Thousands upon thousands of other innocent persons were indirectly affected—their injuries left unredressed, medical bills unpaid and unpayable, and families and households left without means of support.

Enactment of an insurance insolvency fund law to protect people against possible future insurance company failures and the overwhelming burdens which result therefrom was one of the most urgent proposals mentioned in my Special Message on Insurance to the 77th General Assembly on March 25, 1971. With the adoption of House Bill 46, Illinois will join those other progressive states which have enacted such protective legislation in recent years.

But, Illinois—the third largest insurance market in the United States—has, as it should have, done more than just "fall in line." Article XXXIV, by establishing the Illinois Insurance Guaranty Fund, will protect the innocent victims of possible future insolvencies. In addition, the unique new Sections 155.09 through 155.16 of the "Illinois Insurance Code," provide our State with a regulatory device that is not available for the security of policyholders in any other state. Under these new provisions, each property and liability insurer in the State is required to establish a Policyholder Security Deposit Account which may be up to $10 million. This obligation provides the cornerstone for the concept of insurance regulation implemented within the past two years by the Department of Insurance—regulation for "solidity." The goal of this imaginative young program is to *prevent* insolvencies from occurring.

As each of the insurance companies subject to these sections of the "Illinois Insurance Code" sets up its Policyholder Security Deposit Account guaranteeing the availability of funds to meet its policyholder obligations, the assets therein will also be more visible and more easily subject to continuing analysis and scrutiny by the Department. The ability of the Department to predict the financial trend of the companies will be greatly enhanced. The requirement of modern management techniques by the Department will improve the ability of Illinois insurance companies to satisfy the requirements of the Code and strengthen the administration of our insurance laws.

House Bill 46 is a decisive step for the protection of the people against the possibility of future insurance company insolvencies and an innovative action to prevent such failures.

H.B. 54
August 16, 1971

I herewith return, without my approval, House Bill 54 entitled, "An Act to control the manufacture, distribution, delivery and possession of depressant, stimulant or hallucinogenic drugs, to provide penalties for the violation thereof and to repeal an Act therein named."

House Bill 54 is basically a reenactment of the Drug Abuse Control Act, an Act which is repealed by Section 603 (b) of House Bill 787. Further, all of the provisions of House Bill 54 are covered in House Bill 788 which I have approved this day. It therefore would serve no legislative purpose to permit House Bill 54 to become law.

H.B. 55
August 16, 1971

I herewith return, without my approval, House Bill 55 entitled, "An Act to amend Sections 2-17 and 38 of the 'Uniform Narcotic Drug Act', approved July 11, 1957, as amended."

House Bill 55 amends the Uniform Narcotic Drug Act. The Uniform Narcotic Drug Act is repealed by Section 603 (a) of House Bill 787. Inasmuch as I have this day approved House Bill 787, it would be improper legislation to approve a bill which amends an Act that has been repealed.

H.B. 197
June 17, 1971

I hereby return, without my approval, House Bill 197, entitled "An Act to amend Section 15-107 of and to add Section 15-114 to 'The Illinois Vehicle Code', approved September 29, 1969, as amended."

This bill rewords and transfers to a separate section the provision prohibiting the pushing of disabled vehicles on State highways. While this bill does not work a major substantive change in the law, it does conflict with Senate Bill 20, which I approved on June 8, 1971. Senate Bill 20 amends the provision stricken by House Bill 197 by limiting its prohibition to the pushing of vehicles on highways "outside an urban area" as defined by that bill.

Since House Bill 197 was enacted by the legislature subsequent to Senate Bill 20, some confusion may result in interpreting the legislative intent concerning the amendments to this section.

H.B. 207
H.B. 208
H.B. 842
H.B. 2260
H.B. 2628
S.B. 664
S.B. 665
September 24, 1971

Today I am signing into law several bills which I believe symbolize a major commitment by the General Assembly toward the enactment of a wide-ranging program of legislation on behalf of the Illinois consumer.

Such a commitment will benefit no one special interest group, nor any one individual, but is in the best interest of every person living and working in this State. We are all consumers. Yet only recently have we begun to fully realize that shoddy goods and services, secrecy in everyday transactions, and shady, unreliable sales practices cost each one of us countless dollars in wasted, misspent money every year. The quality of the goods and services we buy affects each one of us in a fundamental way.

Among the bills I am signing today are three bills that provide for more comprehensive drug labeling and disclosure. These bills are in addition to the very extensive drug reform legislation enacted by the General Assembly this Session which I have already signed.

Pursuant to the provisions of these bills (House Bills 207, 208 and 2260), every bottle of prescription medicine must show the proprietary name of the substance prescribed, unless a doctor prohibits such disclosure. This enables the buyer to know what he is taking. It also allows him to refill the prescription from any pharmacy without needing to refer to the original seller's prescription files to identify the medicine for which the buyer has only a relatively meaningless prescription number. In addition, these bills will assist the medical profession in treating accidental poisoning cases.

Other bills address one of the most pressing areas of consumer discontent, credit sales and lending. Often, ignorant people are misled into committing themselves to obligations which they have difficulty discharging. Some protective legislation in this area already exists in Illinois, but much remains to be done.

The bills recently enacted are the first of what I hope will be a new initiative to expand the protection of the purchasers of credit in Illinois from practices which are harmful, both to them and to the whole society. Under House Bill 2628, which I am signing today, a debtor is entitled to a 30-day "grace" period after one payment is missed before a creditor may declare all the subsequent payments to be due.

A second bill which I have already signed, provides that, within 30 days, a creditor must answer a letter from a debtor inquiring about any charge, or the debtor is not responsible for paying the service charge on the amount in dispute. This law will help to ease the frustrating situation in which a computer does the billing, and a buyer cannot get an adequate response to a legitimate inquiry about his account.

In a time when much credit is extended on the basis of a worker's wages, garnishment of wages must leave the debtor enough money so that he can continue to support himself and his family. Senate Bill 664, which I am signing today, increases the amount of worker's earnings which cannot be taken under garnishment to 75% of his wages or thirty times the federal minimum wage, whichever is greater. Another reform oriented bill allows an individual to petition a court to obtain a release of a judgment against him when the creditor willfully fails or refuses to provide a release after the debtor has paid or offered to pay the creditor the amount owed.

Another annoying situation that has caused many persons much inconvenience is remedied by Senate Bill 665 which limits the liability of a credit card holder to a maximum of $50 in case the card is lost or stolen. In some instances, his liability is even less. In addition, the issuer of the card is required to enclose a notice form which the card holder can use to notify the company if the card is lost or stolen.

Finally, one of the most painful and costly sources of consumer discontent has been the automobile. The recent act of a California car-owner in setting fire to his $6,500 vehicle reflects the helplessness a motorist feels when the second largest purchase of his life turns out to be nothing but a source of continuing irritation. Too often, these problems arise when a car manufacturer refuses to compensate the dealer for work done under the manufacturer's warranty, or a dispute arises as to who is responsible for doing the work.

House Bill 842 which I am signing today, goes far toward rectifying this situation. It requires a manufacturer to state in writing his obligations and the dealer's duties, so that when the dealer performs certain services, there will be proper allocations of the costs between the manufacturer and dealer. Such a bill benefits everyone. There will be no doubt between the manufacturer and dealer about who shall be compensated for warranty repairs or preparation and delivery charges, and the purchaser will know what, if any, charges must be paid by him.

Earlier this summer I signed into law bills designed to aid the consumer in a variety of areas where reform is badly needed: product safety—requiring safety glass in all public buildings; real estate—compelling landlords of large apartment buildings to compensate their tenants for the use of security deposits by paying interest on the money and outlawing the "exculpatory" clauses frequently found in leases; insurance—the new law provides for the creation of a fund for the payment of claims to injured parties when the insurance company becomes bankrupt; and even a bill requiring that art dealers give certain pertinent information when selling expensive prints.

Many other bills in the consumer field have been introduced in the General Assembly this Session. Enactment of many of these bills would make Illinois citizens the best protected, best informed consumers in the country, and Illinois business the freest to compete openly and fairly for the loyalties of these customers.

I believe Illinois citizens deserve this protection—that they deserve to be protected from the fraud which costs Americans between $500 million and $1 billion every year in home improvements frauds alone; that Illinois citizens deserve enough information about the items they purchase and use to be able to shop intelligently and that the people of Illinois are entitled to minimum requirements of fair dealing in every transaction they enter.

At the same time, the vast majority of Illinois businesses which do provide quality products and services will be protected from the unscrupulous.

I urge the General Assembly to proceed with consideration of this legislation—with badly needed reforms in such areas as the term of credit buying, the plight of tenants and home-buyers and other areas. The fulfillment of this commitment for reform will make the State of Illinois a model for the rest of the country in which healthy competition and fair bargaining will benefit both buyer and seller alike.

H.B. 209

August 27, 1971

I herewith return, without my approval, House Bill 209 entitled, "An Act to amend Section 1 of 'An Act to designate certain areas as State Parks, Memorials and Conservation areas and vest jurisdiction over the same in the Department of Conservation', approved July 13, 1953, as amended."

The provisions of House Bill 209 are contained within House Bill 2572, which I have returned with specific recommendation for change. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 301

April 7, 1971

I herewith return, without my approval, House Bill 301, entitled "An Act to amend Section 4 of 'An Act in relation to public water districts', approved July 25, 1945, as amended."

This bill is identical to Senate Bill 36. Inasmuch as I have this day approved Senate Bill 36, there is no legislative purpose to be served by permitting House Bill 301 to become law.

H.B. 356

September 10, 1971

I herewith return House Bill 356 entitled, "An Act creating the Illinois Insurance Laws Study Commission, defining its powers and duties, and making an appropriation therefor."

Pursuant to the authority vested in me by the provisions of Article IV, Section 9 (d) of the Constitution of Illinois, 1970, I have reduced the following item and approved that item for expenditure in its reduced amount as stated:

Page	*Line*	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
2	8	Appropriation to the Commission for purposes of the Act	$100,000	$25,000	$75,000

House Bill 356 would reestablish the interim Illinois Insurance Laws Study Commission for a two year period and appropriates $100,000 for this fiscal year. Although I have no objection to the continuance of this Commission at this time, I do feel that the reduction of this appropriation is required in view of the limited resources available in the General Revenue Fund and the appropriations already approved for permanent and interim commissions of the General Assembly.

Additionally, approval of this bill subject to a reduction of the appropriation is consistent with the policy on interim legislative commissions as stated in my veto message accompanying the return of House Bill 1878.

For these reasons, I herewith reduce and approve as reduced the above item.

H.B. 390

September 23, 1971

I herewith return, without my approval, House Bill 390, entitled "An Act to amend Section 6-206 of 'The Illinois Vehicle Code', approved September 29, 1969, as amended."

This bill provides that a person whose sole occupation is transporting property or persons for compensation shall not have his drivers license revoked unless the three violations upon which the revocation is predicated occur while operating a commercial vehicle. It is designed to prevent hardship to those professional drivers whose livelihoods depend upon their license to drive.

The existing Motor Vehicle Code accomplishes most of this objective by the provisions of Sections 6-205 and 6-206, authorizing the Secretary of State to issue restricted driving permits in the case of undue hardships. The Secretary of State's office estimate they annually grant over 10,000 such permits in hardship cases. This is about 55% of the total applications for restricted licenses. In those applications where loss of livelihood would accompany the denial of a restricted license such requests are granted in a much larger percentage of cases. Consequently, the transgressing driver is not in a hopeless condition unless his record is very bad.

Furthermore, I am in receipt of an unsolicited telegram from the Associate Administrator, Traffic Safety Programs of the National Highway Traffic Safety Administration, Department of Transportation, United States Government. This telegram specifically states "Enactment of House Bill 390 would violate the requirement of the driver licensing standard." In other words, the Federal government could deprive this State of 10% of the available highway funds for the calendar year of 1972 or a total loss to the State of $31,250,000, plus the total of the highway safety fund of $3,514,000. In other words, the approval of this measure seriously hazards $34,764,000 of Federal funds needed to improve the highway system of the State. It risks the safety and conveniences which would result to the driving public of the State from such improvements. I cannot bring myself to hazard that amount of funds with those consequences.

The last paragraph of the Administrator's telegram says:

> "We are gravely concerned with the effect that implementation of this legislation may have on Illinois' comprehensive traffic safety program and therefore strongly recommend that you veto House Bill 390, which is clearly detrimental to the public interest."

H.B. 437
August 17, 1971

I herewith return, without my approval, House Bill 437 entitled, "An Act to amend Section 7 of the 'Illinois Antitrust Act', approved July 21, 1965, as amended."

House Bill 437 is substantially similar to House Bill 438 to the extent that each bill proposes to amend Section 7 of the Illinois Antitrust Act to conform to the Judicial Article of our new Constitution and to the Civil Practice Act of Illinois. In some instances the proposed amendments in the two bills conflict. In order to reconcile the differences between the two bills, I am withholding my approval from House Bill 437 and am returning House Bill 438 with my specific recommendation for change.

H.B. 438
August 17, 1971

I herewith return House Bill 438 entitled, "An Act to amend Section 7 of the 'Illinois Antitrust Act', approved July 21, 1965, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 438 with the following specific recommendations for change:

Amend House Bill 438 on page 1 by striking lines 31 and 32 and inserting in lieu thereof the following:

> "for an injunction, the court issues an injunction, the *plaintiff* complainant shall be awarded costs and reasonable attorney's"; and

on page 2, by striking line 31 and inserting in lieu thereof the following:

> "the cause of action accrued, *except* provided that, whenever any"; and

on page 3, by striking line 4 and inserting in lieu thereof the following:

> "existing law on *July 21, 1965* the effective date of this Act shall be re-".

House Bills 437 and 438 propose to amend Section 7 of the Illinois Antitrust Act to conform their provisions with the Judicial Article of our new Constitution and the Illinois Civil Practice Act. However, as enacted the two bills are technically in conflict with each other. By vetoing House Bill 437 and by reconciling proposed changes to Section 7 in returning House Bill 438 with my specific recommendations for change, the intent of the General Assembly can be accommodated while avoiding confusion in the existing law.

H.B. 457
August 19, 1971

I herewith return, without my approval, House Bill 457 entitled "An Act to amend Section 17 of 'An Act to revise the law in relation to husband and wife', approved March 30, 1874, as amended."

The changes proposed by House Bill 457 are embodied within House Bill 539, which I approved on July 23, 1971. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 535
July 23, 1971

I herewith return House Bill 535 entitled, "An Act to amend Sections 11, 12, 16, 18, 223, 230 and 234 of the 'Probate Act', approved July 24, 1939, as amended, and to repeal Sections 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 thereof."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 535 with the following specific recommendations for change:

Amend House Bill 535, on page 3, by striking line 9 and inserting in lieu thereof the following:

> "there is none surviving, to their descendants per stirpes.
> *If* [When] there is no surviving maternal grandparent or descendant"; and

on page 3, line 13, by striking "survivors" and inserting in lieu thereof "*survivor* [survivors]".

This bill is the principal enactment of a series of nine bills, House Bills 535 through 543, abolishing dower as part of the joint legislative program of the Illinois State Bar Association and the Chicago Bar Association.

Today I have approved the companion bills in this series. However, at the recommendation of the Illinois State Bar Association and the Legislative Reference Bureau, I am returning House Bill 535 in order to restore a provision concerning the rules of descent and distribution existing presently in Section 11 of the Probate Act which was inadvertently omitted in House Bill 535.

It should be noted that this series of bills by their own provision will not take effect until January 1, 1972. In view of the General Assembly's reconvening on October 5, 1971, sufficient time remains to complete legislative action on House Bill 535 and thereby avoid any ambiguity in the construction of this bill with existing law.

H.B. 549
August 27, 1971

I herewith return House Bill 549 entitled, "An Act to amend Section 6-1 of 'An Act in relation to practice and procedure in cases of Quo Warranto', approved July 2, 1937, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 549 with the following specific recommendation for change:

Amend House Bill 549 on page 1, by striking line 19 and inserting in lieu thereof, the following: "period of 3 *years*."

In 1969 P.A. 76-1120 added a new Section 6-1 to the Quo Warranto Act and provided that no action shall be brought questioning the legality of the organization of a municipal corporation until one year after the organization of the muncipal corporation.

House Bill 549 seeks to amend this Section 6-1 by reversing the restriction. It provides that the proceedings must be brought, if at all, within one year after the creation of such corporation. Thereafter, such Quo Warranto proceedings would be prohibited.

Case law has established that the doctrine of laches is justified and will constitute a defense when it appears that a Quo Warranto judgment would harm, rather than benefit the public welfare. See *People* vs. *Junior College District #526*, 42 Ill. 2d 1936 (1969); *People ex rel Lindsay vs. Board of Education*, 3 Ill. 2d 159 (1954).

If, by statutory law, there is to be established an absolute prohibition of the right to challenge by Quo Warranto the legality of the organization of a municipal corporation, such positive bar should not be interposed until all persons affected by the existence of the municipal corporation have had a reasonable opportunity to become fully informed of the de facto existence of such corporation and the effect of the existence thereof.

I believe the right to question the legality of the existence of a municipal corporation should not be barred absolutely by statutory law until after at least three years of de facto existence. The common law defense of laches, if appropriate, could still be interposed at an earlier date.

H.B. 573
August 9, 1971

I am returning herewith, without my approval, House Bill 573, entitled "An Act to amend Section 14-135 of the 'Illinois Pension Code', approved March 18, 1963, as amended."

This bill extends from three to seven years the period for a state employee, who was previously ineligible because of age, to make a lump sum contribution for participation in the system. Senate Bill 905, which I approved on July 15, 1971, accomplishes this same objective. Therefore no legislative purpose would be served by permitting this bill to become law.

H.B. 584
August 24, 1971

I herewith return House Bill 584, entitled, "An Act to add Section 3.03-1 to the 'Game Code of Illinois', approved July 16, 1941, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 584 with the following specific recommendation for change:

Amend House Bill 594 on page 1 by striking line 11 and inserting in lieu thereof "Glen D. Palmer State Game Farm in Kendall County."

House Bill 584 officially designates our state game farms in the Game Code of Illinois. In reviewing this legislation I find that we have a unique opportunity to give official recognition and honor to one of Illinois' good citizens and great outdoorsmen, Glen D. Palmer of Yorkville.

Mr. Palmer served as the first superintendent of the Yorkville Game Farm when it was purchased by the State in 1925 and served in that office until October, 1929. Although entering private business, Mr. Palmer continued to be a concerned citizen in our conservation and game programs and was subsequently appointed Director of Conservation in 1953 by Governor William G. Stratton, in which capacity he served Illinois through 1960. In view of his continued contributions to our State, I am pleased to recommend the naming of the Game Farm at Yorkville after its first superintendent and Yorkville's most distinguished citizen, Glen D. Palmer.

H.B. 585
July 31, 1971

I am herewith returning, without my approval, House Bill 585, entitled "An Act to amend Sections 13 and 14 of the 'Workmen's Compensation Act', approved July 9, 1951, as amended."

This bill is identical to House Bill 1204 which I have approved today. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 592

September 23, 1971

I herewith return, without my approval, House Bill 592, entitled "An Act to amend Section 2.3 of 'An Act to provide for the exercise of the right of eminent domain', approved April 10, 1872, as amended."

That section of the Eminent Domain Act pertains, in part, to the procedure for deposit of compensation payments to an owner of property taken for public use. Prior to 1969, it contained the requirement that the money be deposited with the "Clerk of the Court" in which the proceedings were filed.

The General Assembly, in 1969, amended the statute whereby the depository was designated as the county treasurer and no longer the clerk of the court.

This bill seeks to restore to the clerk of the court, in Cook County only, the right to act as depository of all eminent domain compensation.

The county treasurer, pursuant to law, invests all deposits, the income from which is expended for county purposes. This income has reached substantial proportions and is an essential source of county revenue.

There is no provision in House Bill 592 for the clerk of the court to invest such deposits, nor does the law require the clerk of the court to derive income from any funds in the clerk's possession or control.

This bill further fails to provide for the contingency of abandoned or unclaimed deposits, rendering it incumbent to delay seven years before any abandoned or unclaimed deposit may be delivered to the State as abandoned property to be administered pursuant to the "Uniform Disposition of Unclaimed Property Act."

H.B. 677

August 20, 1971

I herewith return House Bill 677 entitled, "An Act to amend Section 14 of the 'Public Building Commission Act', approved July 5, 1955, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 677 with the following specific recommendation for change:

Amend House Bill 677, on page 2, by striking lines 14 and 15 and inserting in lieu thereof:

"for housing courts."

As enacted, House Bill 677 permits the Public Building Commission in Cook County to construct facilities outside of the City of Chicago for the housing of courts "and other county offices." Although it may be desirable to locate court facilities throughout the suburban areas of Cook County, I believe that the authority should be limited to the judicial functions of county government.

H.B. 684
August 24, 1971

I herewith return, without my approval, House Bill 684 entitled, "An Act to amend Sections 3 and 6 of 'An Act to revise the law in relation to marriages', approved February 27, 1874, as amended."

House Bill 684 would permit males in Illinois to marry at the age of 18 without parental consent. This bill would substantially revise our marriage law in several respects. Initially, it would remove the parental consent requirement for males in its entirety, while retaining the parental consent requirement for females between the ages of 16 and 18. Secondly, the bill would give an unrestricted right for both males and females to marry at the age of 18.

Today I have approved legislation which establishes the legal age of majority at 18 for young citizens of Illinois. While it is desirable social policy to invest our young citizens of 18 with full legal status to contract, to sue and to be sued, I do not believe that this policy of individual rights should be extended to the marital union. It should be readily apparent that the social questions concerning the right to contract marriage at 18 without parental consent are far different from those surrounding the right to purchase an automobile.

In my judgment, our laws should serve to strengthen and defend the family as a social institution. To encourage early marriage and to deny parents the right to consent to their son's early marriage while preserving the right as to their daughter can only erode the responsibility of the parent and the institution of the family.

In vetoing this legislation, I believe it is helpful to note that I am doing so also at the specific request of the American Academy of Matrimonial Lawyers, the Divorce Conciliation Service of the Circuit Court of Cook County, and numerous marital consultants who have expressed substantial fears on the basis of their experience that the approval of this legislation would only increase the divorce rate in our state.

H.B. 686
August 24, 1971

I herewith return, without my approval, House Bill 686 entitled, "An Act to amend Section 131 of the 'Probate Act', approved July 24, 1939, as amended."

House Bill 686 is identical to Senate Bill 931 which I have approved today. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 687
August 24, 1971

I herewith return House Bill 687 entitled, "An Act to amend Sections 77 and 94 of the 'Probate Act', approved July 24, 1939, as amended."

Amend House Bill 687 on page 2, line 4, by striking "21" and inserting in lieu thereof "18".

House Bill 687 amends the Probate Act to permit both males and females who have attained the age of 18 to act as executors of a will, while raising the legal age to 21 for both to act as administrators. In my judgment, the disparity in ages between the right to act as executor and administrator, as proposed by this bill, is patently inconsistent especially in view of the General Assembly's later action lowering the age of legal majority to 18 for both males and females. Moreover, as enacted, this bill would deprive the court of its present right to appoint a young widow or daughter as administrator of a husband's or parent's estate.

There also appears to be no compelling social policy to distinguish between executors and administrators on the basis of age, especially when the question of the competence of an executor or administrator is open to judicial review at any time.

Therefore, in order to insure consistency within our laws affecting the legal rights of our young citizens, I am returning House Bill 687 with the foregoing specific recommendation for change.

H.B. 723
September 17, 1971

I herewith return, without my approval, House Bill 723 entitled, "An Act making an appropriation to the Fair Employment Practices Commission."

House Bill 723 appropriates $100,000 to the Fair Employment Practices Commission for enforcing provisions of the law to the extent that they apply to discrimination by anyone holding a state contract. This bill is substantially identical to Senate Bill 1085 which I have previously approved. Therefore, no legislative or fiscal purpose would be served by permitting this bill to become law.

H.B. 776
September 23, 1971

I herewith return House Bill 776 entitled "An Act to add Section 10-22.22a to 'The School Code', approved March 18, 1961, as amended, and making an appropriation therefor."

I have approved this bill with the exception of the following items on page 1, lines 22 and 27:

> "Section 2. There is appropriated $300,000, or so much thereof as may be necessary, to the Superintendent of Public Instruction for payment to school districts for the additional cost of administering such pre-apprentice programs and for the cost of the purchase or rental of equipment, supplies, instruction and supervisory salaries, and other operating expenditures."

The establishment of pre-apprenticeship vocational programs by the Division of Vocational and Technical Education is within the general current mandate of responsibilities of the Division. This bill clarifies that role and encourages a highly desirable program direction.

Funds for start-up of this program are available through Part A, Section 102(b) funds from the Federal Vocational Education fund. These funds are particularly earmarked for areas of high dropout rates and high youth unemployment and provide a source of program funding in lieu of a specific appropriation for this program.

H.B. 785
September 10, 1971

I am returning herewith House Bill 785 entitled, "An Act to amend Section 25 of the 'Environmental Protection Act', approved June 29, 1970."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 785 with the following specific recommendation for change:

Amend House Bill 785 on page 1 by striking lines 14 through 29.

House Bill 785 would amend Section 25 of the Environmental Protection Act of 1970, P.A. 76-2429 (Ill. Rev. Stat., Ch. 111½, § 1025). That Act was a major victory for protection of the health and well-being of Illinois citizens. It is the strongest pollution control Act in the United States. It has been effectively and fairly enforced. I have not been informed of any areas in which that Act, or the agencies responsible for enforcing it, are not getting this essential job done.

House Bill 785 has the laudable objective of insuring that our citizens are protected from debilitating and irritating impact of excessive noise. I agree with that goal. The environmental agencies also agree. The Institute for Environmental Quality undertook development of comprehensive noise control regulations for the entire state last December. These regulations will cover noise from stationary sources, airport noise and transportation noise. The Pollution Control Board has stated that noise control is a high priority item. The Institute's proposals, and Board action, are expected within the near future. However, despite the excellent motivation behind House Bill 785, the legislation would weaken our present law in two respects.

First, it requires the Board to regulate noise in terms of "decibels." The Institute has advised me that decibels may not be the best measurement to maximize protection of our citizens. House Bill 785 may thus have the effect of locking the Board into ineffective regulation.

Secondly, House Bill 785 requires the Board to complete action on all noise regulations by January 1, 1973 and to consider certain factors in its action. The factors to be considered by the Board are already mandatory considerations for the Board under Section 27 of the Act. Although the Board intends to act long before the deadline, good reasons may require some delay in one or more aspects of the entire regulatory package. The Board must act responsibly when it acts. House Bill 785 may have the effect of compelling the Board to act irresponsibly in the absence of a legally sufficient record. Regulations adopted under those conditions would be open to serious legal attack.

I should also note that the Institute study directed by this bill was initiated in 1970.

However, the last paragraph of the bill contains a useful clarification of the Environmental Protection Act which should be preserved. The bill defines more precisely the statutory phrase "beyond the boundaries of his property." This is a positive and important addition to the Act, strengthening it in an important area of public protection—transportation noise.

H.B. 787
H.B. 788
S.B. 177
August 16, 1971

I am today acting upon a series of bills which enact the most comprehensive program of drug law reform in the history of Illinois. It is a real landmark and a great credit to all the responsible officials who contributed.

When I called for sweeping drug reforms in April, I praised the General Assembly for its refusal to indulge in "simplistic punitive reactions to drug abuse." I asked for thoughtful, bi-partisan support to enact the most complete, sensible and effective reforms we could make.

Your reponse was admirable. The bills I am approving today are the product of constructive leadership from both sides of the aisle in both Houses of the General Assembly. Valuable contributions were made by the Illinois Crime Investigating Commission, the Illinois Narcotic Advisory Council, and various agencies of this administration.

The result is legislation creating the controls needed to meet the challenge of drug abuse in a changing society. We are only too aware of the frightening rise of drug abuse reaching from the streets into our schools and into our homes. This legislation gives us the capability to confront the constant changes which are occurring. It establishes a more realistic penalty structure, provides regulatory flexibility to cope with new chemical inventions and variations of dangerous drugs, and links the state control structure more closely to the federal system.

The principal bills are House Bills 787 and 788, which I am approving, and Senate Bill 177, which I am returning with my approval and recommended changes to simplify regulatory procedures and make them consistent with federal practice. House Bill 787 and Senate Bill 177 will be known as the "Illinois Controlled Substances Act" and replace the Uniform Narcotic Drug Act. House Bill 788 is dealing specifically with marihuana and will be known as the "Cannabis Control Act." Altogether, however, I am acting upon 28 bills, many of which have major importance in their own right.

Since January 1, 1958, the Uniform Narcotic Drug Act has been in force in the State of Illinois and many other states. This statute is now outmoded and unrealistic in light of the substantial experience and knowledge gained by the medical and law enforcement professions in dealing with the traffic and use of narcotic and other drugs. The Uniform Narcotic Drug Act fails to include within its definition of "narcotic drug" many of the chemicals and drug preparations which have been the subject of drug abuse. Further, the penalty structure fails to differentiate the various levels of potential harm from different drugs or to distinguish adequately between the trafficker in dope and the teenager with a half a dozen pep pills.

Under the old law, heroin, perhaps the most dangerous addictive drug, is classified on the same plane as marihuana, a tobacco-like substance smoked by many people, despite serious questions as to whether it has any harmful effects. Marihuana will now be controlled under House Bill 788 which will be known as the "Cannabis Control Act." This Act contains its own penalty structure and enforcement provisions.

A brief review of the basic concepts and structure of the bills is in order. First, marihuana has been excluded as a substance to be controlled in the same manner as opiates, amphetamines, barbiturates and hallucinogens. Secondly, the drugs being controlled cover a broader area than simply narcotics. As indicated before, amphetamines, barbiturates and hallucinogens are included. Third, the penalty structure is graduated depending upon the dangerous nature of the drug involved in the violation of the law and whether the illegal act is manufacturing, delivery, possession, counterfeiting, misrepresenting the substances involved, or violating the record keeping and reporting provisions.

The new Illinois Controlled Substances Act is divided into five basic sections. Article I of the Bill contains all of the basic definitions which apply to the field of drug control, and although many of the terms are similar to those in use in the medical, chemical and law enforcement fields, there are certain new concepts developed. "Delivery" has replaced the often difficult and cumbersome concept "sale." Now a much broader term, "delivery" means the actual, constructed, or attempted transfer of a controlled substance. Thus our Courts will no longer be tied to the problems of whether or not the recipient paid for the drugs he received or if the drugs are left in a bus depot locker. We have also introduced the concept of "practitioner" covering all medical, paramedical, scientific or pharmacological persons or institutions dealing with controlled substances. These are the only persons who may lawfully handle controlled substances and then only in conformity with strict regulations and reporting procedures.

In Article II of the Illinois Controlled Substances Act, all of the chemical substances which are controlled have been divided into five (5) schedules, designed to insure that Illinois is aligned with the Federal government's scheduling of drugs. Schedule I includes the drugs that have a high potential for abuse and no current accepted medical use. This would include such drugs as heroin, other opiate derivatives and LSD. Schedule II contains those drugs which have a high potential for abuse but have currently accepted medical use. Schedule III contains drugs which also have medical use but may lead to low or moderate physiological dependence or high psychological dependence. Schedule IV contains drugs with a medical use and a low potential for abuse but which lead to limited psychological dependence.

Schedule V is similar to Schedule IV but the possibility of physiological and psychological dependence on these substances is even less. This scheduling of drugs conforms to the scheduling used by the Federal Bureau of Narcotics and Dangerous Drugs, and the Bills provide that any scheduling changes by the Federal Government will be reviewed in Illinois.

In order that effective control over the manufacture and distribution of the substances scheduled in the Act can be maintained, the Department of Registration and Education will register every person dealing with controlled substances. Article III of the Illinois Controlled Substances Act sets forth the registration procedures and prescription regulations. Every person dealing in controlled substances must be registered with the Department of Registration and Education. The legislature has carefully established standards for the issuance of a registration. Revocation, suspension and the right to refuse renewal of a registration will be subject to the Civil Administrative Code, thereby protecting the general public and the individual registrant. The Department of Registration and Education will also have the power to suspend a registration in an emergency situation where there is imminent danger to the public health or safety without being encumbered by the normal administrative process.

Prescription regulations are also set forth in the Act. Except in emergency situations, Schedule II drugs, the highly dangerous, but nevertheless medically acceptable ones, can only be dispensed to the general public by use of a triplicate prescription form issued by the Department of Law Enforcement. All other drugs can only be dispensed when a doctor issues a written prescription or gives oral instructions to a pharmacist followed by a written memorandum. All persons dealing with controlled substances will be required to keep careful records of all controlled substances which they use either as manufacturers, doctors, or pharmacists.

Controlled substances will not be sold by mail or advertised to the public by name. These will be drugs whose use and applications are strictly limited to the medical professions and scientific investigators.

The penalty structure for violation of the Illinois Controlled Substances Act is set forth in Article IV. The penalties currently provided by the Uniform Narcotic Drug Act are so severe and unrelated to the nature of the crime that many trial judges have refused to impose the sentences provided for. Many times State's Attorneys realizing the end result have refused to prosecute or accepted guilty pleas to lesser crimes. This type of action can only bring disrespect for the law and force people to violate their own principles of honesty.

To remedy this situation, a penalty structure has been devised which graduates the penalty depending upon the dangerous nature of the drug involved in the violation of the law. Furthermore, the prevalent use of drugs and the possibility of an unwitting first offense has led to the belief that a first offender found guilty of possession of a controlled substance should have the opportunity to receive a conditional discharge. This will prevent totally unjust and harsh results and could prevent a young man or woman from being stigmatized for the rest of his or her life; the punishment must be in proportion to the crime. However, this conditional discharge may only be available one time to any individual.

This penalty structure is best illustrated by the following chart:

Illinois Controlled Substances Act
*Penalty Structure

Illegal Act	Drug Involved	**Penalty
Calculated criminal drug conspiracy (sec. 405)	Any drug involving more than $500 value	10 years to life
Manufacture or deliver or possession with intent to manufacture or deliver (sec. 401)	1. Specified large quantities of specific substances	10 years to life
	2. Schedule I or II narcotic substances	1 - 20 years
	3. Schedule I or II, any other substances	1 - 10 years
	4. Schedule III controlled substances	1 - 8 years
	5. Schedule IV and V controlled substances	not more than 1 year or 1 - 3 years

Possession of controlled substances (sec. 402)	1. Specified large quantities of specific substances	3 years to life
	2. All other controlled substances	not more than 1 year or 1 - 8 years. First offense, possible discharge after fulfilling of probation (sec. 410)
Manufacture or deliver a counterfeit substance (sec. 403)	1. Schedule I or II narcotic substances	1 - 12 years
	2. Schedule I or II, any other substances	not more than 1 year or 1 - 8 years
	3. Schedule III controlled substances	not more than 1 year or 1 - 5 years
	4. Schedule IV and V controlled substances	not more than 1 year or 1 - 3 years
Falsely representing any substance to be a controlled substance (sec. 404)	any non-controlled substance	not more than 1 year or 1 - 10 years
Distribute controlled substances in violation of the prescription requirements, failure to keep proper records, obtain prescription blanks, or use false identifications registrations or counterfeit labels. (sec. 406)	any controlled substance	not more than 1 year or 1 - 3 years
Delivery of a controlled substance to a person under 18 years and 2 years his junior. (sec. 407)	any controlled substance	twice the maximum otherwise authorized penalty

---

*This chart provides general penalty guidelines and should be checked against the Illinois Controlled Substances Act at all times.

**There are also fines assessed for all violations but they are not listed on the chart.

In Article V of the Illinois Controlled Substances Act, enforcement of the Act is vested in the Department of Law Enforcement. A carefully drafted procedure for the issuance of administrative warrants is established to allow the inspection or seizure of property from places where controlled substances are manufactured and distributed or otherwise disposed of and where the records required under the Act are kept. Injunction procedures are provided for and the forfeiture provisions cover all conceivable devices that may be used for violating the Acts. The forfeiture provisions provide that the net proceeds are to be used for the common school fund. In this way, we may possibly turn the economic gain from the highly dangerous drug traffic to the education of our youth. We have been careful to exclude from the forfeiture provisions bona fide innocent common carriers and security interest holders.

The administrative warrants and the forfeiture provisions are subject to review at the administrative level, however, we have provided that the review of the administrative decisions shall go directly to the Appellate Court rather than the Circuit Court.

In order to maintain a continual bank of knowledge about drug abuse, the Department of Mental Health has been given jurisdiction over the conducting of research in the drug field. Research and treatment programs, including the use of methadone, will be authorized and regulated by the Department of Mental Health. At the same time the privacy of the individual research subjects will be maintained. This will better enable persons engaged in research activities to deal with drug addicts and attempt to rehabilitate them.

I now turn to House Bill 788, the Cannabis Control Act. The manufacture and possession of marihuana is also to be prescribed and the graduated penalties will be based upon the quantity of marihuana involved. In this manner we will distinguish between the marihuana pusher and the teenager with 2 or 3 cigarettes. In 1969 I approved a bill which distinguished marihuana violations of the Uniform Narcotic Drug Act involving less than 2.5 grams. This concept has now been expanded and developed as follows:

CANNABIS CONTROL ACT
*PENALTY STRUCTURE

Weight of Marihuana	*Penalty*
less than 2.5 grams	possession: 90 days (sec. 4) **manufacture: 180 days (sec. 5)
2.5 to 10 grams	possession: 180 days (sec. 4) manufacture: not more than 1 year or 1 - 2 years (sec. 5)
10 to 30 grams	possession: not more than 1 year (sec. 4) subsequent offense: 1 - 2 years manufacture: not more than 1 year or 1 - 3 years (sec. 5) subsequent offense: 1 - 4 years
30 to 500 grams	possession: 1 - 3 years (sec. 4) subsequent offense: 2 - 6 years manufacture: 1 - 4 years (sec. 5) subsequent offense: 2 - 8 years
over 500 grams	possession: 1 - 5 years (sec. 4) subsequent offense: 2 - 7 years manufacture: 1 - 7 years (sec. 5) subsequent offense: 2 - 10 years

The calculated conspiracy provisions that are included in the Illinois Controlled Substances Act are also included and carry a 3 - 10 year sentence and a fine of $200,000.00. For a subsequent offense of the calculated conspiracy provisions of the Cannabis Control Act the penalty is 5 - 20 years. (sec. 9)

The conditional discharge provisions for first offenses upon conditions of probation are also carried forward. (sec. 10)

Delivery by an 18 year old to a person under 18, 3 years his junior, is punishable by twice the maximum penalty otherwise authorized. (sec. 7)

Producing the plant Cannabis Sativa L.: not more than 1 year or $1,500 fine, or both (sec. 8)

---

*This chart provides general penalty guidelines and should be checked against the Cannabis Control Act at all times.

**"Manufacture" is used in the chart as a short form of the complete definition "manufacture or deliver or possess with intent to manufacture or deliver."

In conjunction with the passage of the Illinois Controlled Substances Act, it became necessary to review other Illinois statutes which contain references to the old Uniform Narcotic Drug Act or limit their application to narcotic drugs only. As pointed out above, there are many drugs besides narcotics which produce harmful effects and lead to addiction. As a consequence, the following bills make the appropriate changes to the existing statutes:

Bill No.	*Current Statute Affected*	*Explanation*
House Bill 2002	Chapter 111½, Section 191	This is an amendatory bill which authorizes outpatient clinics in the City of Chicago to treat persons addicted to controlled substances and the users of cannabis rather than limit their treatment facilities to narcotic addicts.
House Bill 2003	Chapter 23, Section 2801	This bill authorizes the State Reformatory for Women to provide hospital and clinical facilities to treat persons addicted to controlled substances and users of cannabis rather than limit the facilities to drug addiction.
House Bill 2004	Chapter 56½, Sections 516 & 524 (The legislative synopsis reference is erroneous)	This amendatory act provides that the prescription requirements of the Illinois Controlled Substances Act shall control the dispensing of all habit forming drugs. The statute originally contained its own prescription provisions but these have been supplanted in the Illinois Controlled Substances Act.
House Bill 2005	Chapter 100½, Section 14	This amendatory act substitutes the "Department of Law Enforcement" and "controlled substances" for the "Division of Narcotic Control" and "narcotic drugs," respectively. Formerly, the Division of Narcotic Control could seek an injunction against any store or building or

Bill No.	Current Statute Affected	Explanation
		house where narcotic drugs were being unlawfully sold, stored or used. The scope of the act has now expanded to allow the Department of Law Enforcement to seek the same remedy with respect to any place where controlled substances are illegally sold, stored or used. Further, it is provided that the proceeds from the sale of any property seized pursuant to the act shall be paid to the Common School Fund of this state.
House Bill 2007	Chapter 122, Section 27-10	This amendatory act broadens the language of the School Code by including in the course of study the nature and effect of controlled substances and marihuana on the human system, rather than limiting this information to narcotics.
House Bill 2009	Chapter 38, Section 117-1	This amendatory act involves the probation section of the Code of Criminal Procedure. The amendatory act as drafted conforms to House Bill 787 by setting forth certain sections of that bill for which no probation is available.
House Bill 2010	Chapter 127, Sections 53 & 55a	The existing act established a bureau of investigation to maintain records. This amendatory act gives the Department of Law Enforcement the right to maintain records of persons receiving a conditional discharge under the Illinois Controlled Substances and Cannabis Control Acts.
House Bill 2011	Chapter 127	This amendatory act grants the Department of Law Enforcement the power to enforce the Illinois Con-

Bill No.	*Current Statute Affected*	*Explanation*
		trolled Substances and Cannabis Control Acts rather than the Uniform Narcotic Drug Act. It also gives the Department the power to request the Attorney General to prosecute any violation of the Illinois Controlled Substances Act and the Cannabis Control Act.
House Bill 2012	Chapter 38, Section 22-50, 22-52, 22-54	This amendatory act substitutes "controlled substances" and "cannabis" for "narcotic drugs" and the "Department of Law Enforcement" for "Division of Narcotic Control" in the Hypodermic Syringes and Needles Act.
House Bill 2014		This amendatory act sets forth certain specific exclusions under the Criminal Code Penalty provisions relating to conspiracies and seizures.
House Bill 2015	Chapter 127	This amendatory act amends the Personnel Code by substituting "controlled substances" or "users of cannabis" for "a person who uses narcotics."
House Bill 2016 House Bill 1917	Chapter 9½ Section 120.1 etc. seq.	House Bill 2016 changes the name of and expands the old Narcotic Advisory Council. The new name is the Dangerous Drug Advisory Council and its membership has been expanded to include the Superintendent of the Illinois Bureau of Investigation, the Director of the Drug Abuse Program, the State's Attorney of Cook County and a State's Attorney from a county other than Cook. House Bill 1917 also adds the Superintendent of Public Instruction and the Director of the Department of Corrections. House Bill 2016 further clarifies the

Bill No.	Current Statute Affected	Explanation
		definitions of controlled substances, dangerous drug, addict and addiction. Cannabis has been added to conform with the new legislation. The Dangerous Drug Advisory Council has been designated to prepare a comprehensive report on the problems of controlled substances. The Council will assimilate information obtained from the various disciplines such as medical professions, research facilities and law enforcement agencies.
House Bill 2017	Chapter 91½ Section 300.1 etc. seq.	This amendatory act changes the Community Mental Health Act by permitting the mental health facilities and services under the Community Mental Health Act to deal with controlled substances addicts and users of cannabis rather than limiting these services to narcotic addicts.

In addition to the foregoing bills, I am also approving House Bills 1913 and 1916.

House Bill 1913 is an amendment to the Drug Addiction Act, authorizing the Department of Mental Health to obtain from the Department of Law Enforcement arrest data. The issue of availability of arrest data has been a matter of some concern in the Illinois Drug Abuse Program, and this bill will clarify the questions that have arisen on this issue. This bill should help to make the Illinois Drug Abuse Program all the more effective.

House Bill 1916 sets forth specific powers of the Dangerous Drug Advisory Council to review and approve drug abuse programs. It is essential that this important aspect of public health be carried on under the watchful eye of the Advisory Council.

The final bill which I am approving today is House Bill 1174 which amends the statute permitting minors to consent to treatment for venereal disease. This amendment will make it possible for a minor to consent to medical treatment or to counseling for drug dependence. This is a much needed reform since in the past medical practitioners and counselors tended to avoid accepting minors for treatment since there was always possible legal action from parents who were unaware that their children were undergoing treatment. With the enactment of this bill, anyone twelve years of age or over will be able to obtain help for venereal disease and drug dependence. No one furnishing the requested help is obligated to inform the patient's parents, although they may.

H.B. 814
September 10, 1971

I herewith return House Bill 814 entitled, "An Act to create the Illinois Commission on Atomic Energy, defining the powers and duties of the Commission, and making an appropriation therefor."

Pursuant to the authority vested in me by the provisions of Article IV, Section 9 (d) of the Constitution of Illinois, 1970, I have reduced the following item and approved that item for expenditure in its reduced amount as stated:

Page	*Line*	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
2	11	Appropriation to the Commission for purposes of the Act	$35,000	$10,000	$25,000

House Bill 814 would give permanent status to the Illinois Commission on Atomic Energy and appropriates $35,000 for the operations of this Commission for this fiscal year. Although I have no objection to the continuance of this Commission at this time, I do feel that the reduction of this appropriation is required in view of the limited resources available in the General Revenue Fund and the appropriations already approved for permanent and interim commissions of the General Assembly.

Additionally, approval of this bill subject to a reduction of the appropriation is consistent with the policy on interim legislative commissions as stated in my veto message accompanying the return of House Bill 1878.

H.B. 842, see approval message for H.B. 207.

H.B. 844
August 27, 1971

I herewith return House Bill 844 entitled, "An Act to amend Sections 5, 6, 7, 8 and 19 of the 'Workmen's Compensation Act', approved July 9, 1951, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 844 with the following specific recommendations for change:

Amend House Bill 844, on page 2, line 35, by striking "*However,*"; and

on page 3, by striking lines 1 and 2; and

on page 6, by striking lines 11 and 12 and inserting in lieu thereof the following:

> "within 1 year after the date of the accident, where no compensation has been paid, or within 1 year after"; and

on page 6, by striking lines 29 and 30 and inserting in lieu thereof the following:

> "within one year after the date of death, but not thereafter."; and

on page 7, by striking line 1 and inserting in lieu thereof the following:

> "Commission within one year after the date of death,"; and

on page 7, by striking lines 13 through 15 and inserting in lieu thereof the following:

> "of the employee, but not less in any event than $10,250 and not more in any event than *$21,600*. When an award has been made"; and

on page 7A, by striking lines 1 through 13, inclusive; and

on page 8, line 13, by striking "*$12,300*" and inserting in lieu thereof "$10,250"; and

on page 8, line 15, by striking "*$13,440*" and inserting in lieu thereof "$11,200"; and

on page 8, line 16, by striking "*$14,000*" and inserting in lieu thereof "$11,640"; and

on page 8, line 17, by striking "*$15,400*" and inserting in lieu thereof "$12,830"; and

on page 8, line 20, by striking "*$12,300*" and inserting in lieu thereof "$10,250"; and

on page 8, line 24, by striking "*$1140*" and inserting in lieu thereof "$950"; and

on page 8, line 26, by striking "*$1350*" and inserting in lieu thereof "$1140"; and

on page 8, line 28, by striking "*$1600*" and inserting in lieu thereof "$1330"; and

on page 9, line 9, by striking "*$12,300*" and inserting in lieu thereof "$10,250"; and on page 9, line 17, by striking "$5300" and inserting in lieu thereof "$4,400"; and

on page 12, by striking line 23, and inserting in lieu thereof the following:

"Commission within 1 year."; and

on page 15, line 24, by striking "$38" and inserting in lieu thereof "$31.50"; and

on page 16, by striking lines 17 and 18 and inserting in lieu thereof the following:

"weekly earnings computed under Section 10 amount to $31.50 or more per week, compensation shall be computed"; and

on page 16, by striking lines 26 through 33, inclusive, and inserting in lieu thereof the following:

"3. Wherever in this Section a weekly minimum of $31.50 is provided, such minimum shall be increased in the following cases to the following amounts:
$32.50 in case of a married person with no children;
$41.75 in case of 1 such child;
$44.25 in case of 2 such children;
$46 in case of 3 such children;
$49 in case of 4 or more such children." and

on page 17, line 2, by striking "78 64" and inserting in lieu thereof "64"; and

on page 17, line 9, by striking "78 64" and inserting in lieu thereof "64"; and

on page 19, by striking lines 25 and 26 and inserting in lieu thereof the following:

"allowed for an aggregate period of 60 weeks in addition to compensation for"; and

on page 20, by striking lines 8 and 9 and inserting in lieu thereof the following:

"under the preceding paragraph, and no compensation is awarded for a fracture of a body of a vertabra, and when an"; and

on page 21, line 6, by striking "78 64" and inserting in lieu thereof "64"; and

on page 21, line 6, by striking lines 26 through 29, inclusive, and inserting in lieu thereof the following:

"specified. The amputation of the entire distal phalanx of a thumb, finger, or toe, proximal to the distal joint at the reasonable point of election for amputation of such phalanx shall be considered to be the loss of one phalanx only. The"; and

on page 21, by striking lines 34 and 35 and inserting in lieu thereof the following:

"9. Hand-190 weeks. When an accidental injury sustained is limited to a hand and results in the amputation"; and

on page 22, by striking lines 1 through 7, inclusive, and inserting in lieu thereof the following:

"thereof, and such amputation is performed at the point of election on the forearm for the purpose of permitting the use of an artificial member, such injury shall be compensated as the loss of a hand. Nothing herein contained reduces the amount payable for an arm where the accidental injury sustained includes the forearm above the wrist.

10. Arm-235 weeks. Where an accidental injury"; and

on page 22, by striking lines 18 through 26, inclusive, and inserting in lieu thereof the following:

"11. Foot-155 weeks. Where an accidental injury sustained is limited to a foot and results in the amputation thereof, and such amputation is performed at the point of election on the lower leg for the purpose of permitting the use of an artificial member, such injury shall be compensated as a loss of a foot. Nothing herein contained shall reduce the amount payable for a leg where the accidental injury sustained includes the lower leg above the ankle.

12. Leg-200 weeks. Where an accidental injury"; and

on page 23, line 1, by striking "157" and inserting in lieu thereof "150"; and

on page 25, line 12, by striking "$38" and inserting in lieu thereof "$31.50"; and

on page 25, by striking lines 21 through 23, inclusive, and inserting in lieu thereof the following:

"case of total and permanent disability equal to 15% and in other cases of total and permanent disability equal to 12%, of the amount which would have been payable as a"; and

on page 25, by striking lines 27 through 29, inclusive, and inserting in lieu thereof the following:

"Section 7.".

House Bill 844 amends the Workmen's Compensation Act. A companion bill, House Bill 845, amends the Occupational Diseases Act. These two bills make several major changes in the acts they amend.

I am returning House Bills 844 and 845 to the House in which they originated with specific recommendations for change which will provide greatly increased benefits for injured employees. My recommendations will increase most benefits by at least 20% over the present levels provided by law.

In addition to the increases in benefit rates and the several other changes, I am recommending that the General Assembly approve the Black Lung amendments contained in House Bill 845. These changes are required by federal law and will provide more comprehensive coverage and benefits to Illinois miners.

The recommendations which I am making today are in keeping with the pattern of amendments enacted in 1969. In that year, the Seventy-Sixth General Assembly passed and I approved amendments to the Workmen's Compensation Act that increased benefits by approximately 14%. Similar increases were made in the Occupational Diseases Act. Those changes together with the proposals which I am recommending today will provide a marked increase in Workmen's Compensation and Occupational Diseases benefits during the past 2½ years. These increases of over 34% are greater increases, both in dollars and in percentages, than any legislature has ever granted during a comparable period of time since 1914 when the Workmen's Compensation and Occupational Diseases Acts were first enacted.

If the General Assembly were to accept the specific recommendations for change which I am suggesting today, Workmen's Compensation and Occupational Disease benefits for Illinois employees will be greater than any of the five states which border Illinois and, in some categories, will be the highest benefits provided in any industrial state in the nation.

I realize that increases in benefits such as these bills provide are very controversial changes. There are those who believe benefits should not be increased so drastically, while others think that even greater increases are required. However, I hope all will realize that a 34% increase in benefits in 2½ years is a very substantial increase, one that will be of tremendous assistance to the injured employee while at the same time increasing the employers' costs of doing business in this State.

All must realize that a prosperous, competitive economic climate for Illinois is absolutely necessary to generate the income necessary to pay injured employees. Illinois products must be able to compete effectively with products produced in other states and in other nations. We must not price this state's products out of national and world markets.

House Bill 844 and House Bill 845 were enacted without agreement having been reached by representatives of labor and management and without the traditional agreed bill process having been followed. I regret that there was no agreement on these bills, and I hope that their enactment does not foreclose the end of the agreed bill process. This process has developed through the years and seems to have well served the people of this State.

It is in the spirit of preserving this process that I am rejecting a number of the amendments contained in these bills. Those amendments deserve further study and analysis. Perhaps after a more deliberative review, proposals can be agreed upon which will accomplish the goals of all concerned.

H.B. 845
August 27, 1971

I herewith return House Bill 845 entitled "An Act to amend Sections 1, 5, 6, 7, 8, 16 and 19 of the 'Workmen's Occupational Diseases Act', approved July 9, 1951, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 845 with the following specific recommendations for change:

Amend House Bill 845 on page 8, by striking lines 5 through 7, inclusive, and inserting in lieu thereof the following:

"Act."; and

on page 11, by striking lines 13 through 15, inclusive, and inserting in lieu thereof the following:

"pensation is filed with the commission within one year after the date of the disablement, where no compensation has been paid, or within one year"; and

on page 11, by striking lines 23 through 25, inclusive, and inserting in lieu thereof the following:

"may be filed with the Commission within one year after the date of death but not thereafter."; and

on page 12, by striking lines 22 and 23 and inserting in lieu thereof the following:

"event than $10,250 and not more in any event than $21,600. When an"; and

on page 12, by striking lines 33 through 35, inclusive; and

on page 13, by striking lines 1 through 11, inclusive; and on page 13, line 29, by striking “$12,300” and inserting in lieu thereof “$10,250”; and

on page 13, line 32, by striking $13,400” and inserting in lieu thereof “$11,200”; and

on page 14, line 1, by striking “$14,000” and inserting in lieu thereof “$11,640”; and

on page 14, line 2, by striking $15,400 and inserting in lieu thereof “$12,830”; and

on page 14, line 5, by striking “$12,300” and inserting in lieu thereof “$10,250”; and

on page 14, line 9, by striking “$1,140” and inserting in lieu thereof “$950”; and

on page 14, line 11, by striking “$1,350” and inserting in lieu thereof “$1,140”; and

on page 14, line 13, by striking “$1,600” and inserting in lieu thereof “$1,330”; and

on page 14, by striking lines 30 and 31 and inserting in lieu thereof the following:

> “the employee, but not less in any event than $10,250 and not more in any event than “$21,600”; and

on page 15, by striking lines 4 and 5 and inserting in lieu thereof the following:

> “event than $4,400 and not more in any event than $20,200”; and

on page 18-A, by striking lines 12 and 13 and inserting in lieu thereof the following:

> “was not filed with the Commission within one year”; and

on page 20, by striking lines 8 and 9, and inserting in lieu thereof the following:

> “diseases for a period not exceeding 2 years from the date of disablement.”; and

on page 21, line 14, by striking “$38” and inserting in lieu thereof “$31.50”; and

on page 22, by striking lines 10 and 11 and inserting in lieu thereof the following:

> “weekly earnings computed under Section 10 amount to $31.50 or more per week, compensation shall be computed”; and

on page 22, by striking lines 19 through 27, inclusive, and inserting in lieu thereof the following:

> “3. Wherever in this Section a weekly minimum of $31.50 is provided, such minimum is increased in the following cases to the following amounts:

$32.50 in case of a married person with no children;
$41.75 in case of 1 such child;
$44.25 in case of 2 such children;
$46 in case of 3 such children;
$49 in case of 4 or more such children."; and

on page 22, line 31, by striking "$78" and inserting in lieu thereof "$64"; and

on page 23, by striking line 4 and inserting in lieu thereof the following:

"(b) For total incapacity after 64 weeks, and for"; and

on page 25, by striking lines 19 and 20 and inserting in lieu thereof the following:

"allowed for an aggregate period of 60 weeks in addition to"; and

on page 26, by striking lines 3 and 4 and inserting in lieu thereof the following:

"paragraph, and no compensation is awarded for a fracture of a body of a vertebra, and when a disablement has been"; and

on page 26, line 29, by striking "78" and inserting in lieu thereof "64"; and

on page 27, by striking lines 15 through 19, inclusive, and inserting in lieu thereof the following:

"specified. The amputation of the entire distal phalanx of a thumb, finger or toe, proximal to the distal joint at the reasonable point of election for amputation of such phalanx is considered to be the loss of one phalanx only. The loss of more than one phalanx is considered as"; and

on page 27, by striking lines 24 through 33, inclusive, and inserting in lieu thereof the following:

"9. Hand-190 weeks. Where disablement sustained is limited to a hand and results in the amputation thereof, and such amputation is performed at the point of election on the forearm for the purpose of permitting the use of an artificial member, such injury shall be compensated as the loss of a hand. Nothing herein contained reduces the amount payable for an arm where the disablement sustained includes the forearm above the wrist.

10. Arm-255 weeks. Where disablement results"; and

on page 28, by striking lines 11 through 20, inclusive, and inserting in lieu thereof the following:

> "11. Foot-155 weeks. Where a disablement sustained is limited to a foot and results in the amputation thereof, and such amputation is performed at the point of election on the lower leg for the purpose of permitting the use of an artificial member, such disablement shall be compensated as a loss of a foot. Nothing herein contained reduces the amount payable for a leg where disablement sustained includes the lower leg above the ankle.
>
> 12. Leg-200 weeks. Where disablement results"; and

on page 28, line 31, by striking "$157" and inserting in lieu thereof "$150"; and

on page 31, line 16, by striking "$38" and inserting in lieu thereof "$31.50"; and

on page 31, by striking lines 26 through 28, inclusive, and inserting in lieu thereof the following:

> "specific case of total and permanent disability equal to 15% and in other cases of total and permanent disability equal to 12% of the amount which would"; and

on page 31, by striking lines 32 through 35, inclusive, and inserting in lieu thereof the following:

> "surviving, as provided in paragraph (a), Section 7."

The provisions of this bill are substantially the same as those contained in House Bill 844, which I have returned today to the House in which it originated. For the reasons contained in my message on House Bill 844, I herewith return House Bill 845 with the foregoing specific recommendations for change.

H.B. 861
September 2, 1971

I herewith return House Bill 861 entitled, "An Act making appropriations to the Board of Trustees of the Judges Retirement System."

Pursuant to the authority vested in me by the provisions of Article IV, Section 9 (d) of the Constitution of Illinois, 1970, I have reduced the following item and approved this item for expenditure in the reduced amount as stated:

Page	Line	Appropriation Item	Amount Enacted	Reduced Herewith	Approved
1	8 thru 10	For the State's contribution to the Judges' Retirement System as provided by law	$1,682,000	$282,000	$1,400,000
Add:		Amount approved as enacted			7,545
		Revised total			$1,407,545

In view of the fiscal policy which the Bureau of the Budget has recommended for the funding of our several state supported pension systems at the level of anticipated claims in order to balance our resources for fiscal 72, I herewith reduce, and approve as reduced, the foregoing item.

H.B. 863
August 4, 1971

I herewith return, without my approval, House Bill 863, entitled "An Act to amend Section 12-101 of 'The Illinois Vehicle Code', approved September 29, 1969, as amended."

This bill permits the Director of the Department of Law Enforcement to amend the Equipment Article of the Illinois Vehicle Code by rule or regulation whenever there is a conflict between Illinois law and standards set by the federal government under the National Highway Safety Act of 1966.

Although the intent of this legislation is desirable to assure uniformity of the equipment regulations on vehicles traveling Illinois highways with those prescribed by our federal government, I question both the necessity and the constitutionality of this bill.

On the question of necessity, it would appear that where there is a conflict between an Illinois equipment standard and that promulgated by the federal government, the state law must yield to the federal, particularly as that standard might affect interstate commerce. Apart from this question, the need for this legislation to provide an immediate revision of our laws may be more apparent than real. Under the Constitution of 1970, the Illinois General Assembly stands in continuous session. It is difficult to conceive when a substantial period of time would exist where statutory inconsistencies would be created which could not be corrected by action of the General Assembly. (Furthermore, the continuous session provisions of the new Constitution may render the bill unenforceable to the extent that it provides that the Director promulgate the rule or regulation "only when the General Assembly is not in session.")

This bill further suffers from the employment of ambiguous terminology which, in my judgment, defeats the certainty of law that it seeks to obtain. The bill provides that a promulgated rule "shall remain in effect only until the adjournment of the next ensuing session of the General Assembly." The phrase "next ensuing session" is neither constitutionally nor statutorily defined. Even if the phrase were taken to mean the next meeting of the General Assembly following a recess, if in that session the General Assembly enacted a similar statute, there is no certainty that the new statute would become effective before the rule were abolished, particularly in view of Public Act 77-147 which provides October 1 to be the uniform date for all laws enacted and also the provisions of the new Constitution permitting up to 90 days for the review of legislative enactments.

Lastly, I question the constitutionality of delegating legislative authority to an officer of the executive branch. In this instance, the Director of Law Enforcement is given the power to amend a law enacted by the General Assembly. Article II, Section 1, of the Constitution of 1970 provides that the legislative and executive branches are "separate" and that "no branch shall exercise powers properly belonging to another." Certainly the amendment of our laws is singularly within the province of the legislative branch, subject only to judicial review.

H.B. 872
August 12, 1971

I herewith return, without my approval, House Bill 872 entitled "An Act to amend Section 4-15 of 'The Illinois Public Library District Act', approved July 17, 1967, as amended."

House Bill 872, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 502 which amends the same section amended by House Bill 872.

H.B. 893
August 19, 1971

I herewith return, without my approval, House Bill 893 entitled "An Act to amend Section 5-2 of 'The Park District Code', approved July 8, 1947, as amended."

House Bill 893, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 1891 which amends the same section amended by House Bill 893.

H.B. 903
August 20, 1971

I herewith return, without my approval, House Bill 903 entitled, "An Act to repeal Sections 2-15, 41a, 43, 43.1, 43.2, 43.3, 43.4, 43.5, 43.6, 43.7 and 46 of the 'Uniform Drug, Device and Cosmetic Act', approved July 9, 1959, as amended."

House Bill 903 is one in a series of bills introduced by the Legislative Reference Bureau designed to revise our statutes in accordance with prior enactments of the General Assembly. The revision accomplished by House Bill 903 has been accommodated by substantive enactment, House Bill 787, which I approved on August 16, 1971. Therefore, no legislative purpose would be served by permitting House Bill 903 to become law.

H.B. 923
August 31, 1971

I herewith return, without my approval, House Bill 923 entitled "An Act to amend Section 34-53 of 'The School Code', approved March 18, 1961, as amended."

House Bill 923, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 1969 which amends the same section amended by House Bill 923.

H.B. 950
August 31, 1971

I herewith return, without my approval, House Bill 950 entitled "An Act to amend Section 4 of 'An Act to prohibit the sale, offering or exposing for sale of fireworks; defining fireworks and to regulate the manner of using fireworks, and to provide penalties for the violation of the provisions of this Act', approved July 1, 1941, as amended."

House Bill 950, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 2982 which amends the same section amended by House Bill 950.

H.B. 972
August 12, 1971

I herewith return, without my approval, House Bill 972 entitled "An Act to amend Section 2 of 'An Act concerning aquariums and museums in public parks', approved June 17, 1893, as amended."

House Bill 972, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of Senate Bill 803 which amends the same section amended by House Bill 972.

H.B. 976
August 12, 1971

I herewith return, without my approval, House Bill 976 entitled "An Act to amend Section 1 of 'An Act concerning furloughs for qualified inmates of the State prison system for certain purposes', approved July 31, 1969, as amended."

House Bill 967, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of Senate Bill 756 which amends the same section amended by House Bill 976.

H.B. 977
August 19, 1971

I herewith return, without my approval, House Bill 977 entitled "An Act to amend Section 2 of 'An Act concerning furloughs for qualified inmates of the State prison system for certain purposes', approved July 31, 1969, as amended."

House Bill 977, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of Senate Bill 756 which amends the same section amended by House Bill 977.

H.B. 978
August 19, 1971

I herewith return, without my approval, House Bill 978 entitled "An Act to amend Section 3 of 'An Act concerning furloughs for qualified inmates of the State prison system for certain purposes', approved July 31, 1969."

House Bill 978, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of Senate Bill 756 which amends the same section amended by House Bill 978.

H.B. 979
August 19, 1971

I herewith return, without my approval, House Bill 979 entitled "An Act to amend Section 4 of 'An Act concerning furloughs for qualified inmates of the State prison system for certain purposes', approved July 31, 1969."

House Bill 979, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of Senate Bill 756 which amends the same section amended by House Bill 979.

H.B. 980
September 10, 1971

I herewith return, without my approval, House Bill 980 entitled "An Act to repeal Sections 2-135 and 14-179 of the 'Illinois Pension Code', approved March 18, 1963, as amended."

This bill would repeal Sections 2-135 and 14-179 of the Illinois Pension Code. The intent of the bill is to repeal sections of the Pension Code rendered inoperative by the creation of the Illinois State Board of Investment.

However, I am informed by the Illinois State Board of Investment that this bill inadvertently repeals two sections which should not be repealed in their entirety, and fails to provide for repeal of another section which should be repealed.

I am further informed that the task of submitting a bill which will more properly seek to repeal these subject sections of the Illinois Pension Code will be undertaken.

H.B. 981
September 8, 1971

I herewith return, without my approval, House Bill 981 entitled "An Act to amend Section 6-165 of the 'Illinois Pension Code', approved March 18, 1963, as amended."

House Bill 981, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 1634 which amends the same section amended by House Bill 981.

H.B. 988
September 7, 1971

I herewith return, without my approval, House Bill 988 entitled "An Act to amend Section 13-169 of the 'Illinois Pension Code', approved March 18, 1963, as amended."

House Bill 988, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 1746 which amends the same section amended by House Bill 988.

H.B. 995
August 12, 1971

I herewith return, without my approval, House Bill 995 entitled "An Act to amend Section 5-603 of the 'Illinois Highway Code', approved June 8, 1959, as amended."

House Bill 995, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 1451 which amends the same section amended by House Bill 995.

H.B. 1012
September 10, 1971

I herewith return, without my approval, House Bill 1012 entitled "An Act to amend Section 1 of 'An Act in relation to State highway police and to repeal an Act herein named', approved July 20, 1949, as amended."

House Bill 1012, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 1925 which amends the same section amended by House Bill 1012.

H.B. 1013
August 12, 1971

I herewith return, without my approval, House Bill 1013 entitled "An Act to amend Section 16 of 'An Act in relation to State highway police and to repeal an Act herein named', approved July 20, 1949, as amended."

House Bill 1013, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bills 1304 and 1925 which amend the same section amended by House Bill 1013.

H.B. 1023
September 10, 1971

I herewith return, without my approval, House Bill 1023 entitled "An Act to amend Section 3-15.12 of 'The School Code', approved March 18, 1961, as amended."

House Bill 1023, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 1075 which amends the same section amended by House Bill 1023.

H.B. 1028
August 12, 1971

I herewith return, without my approval, House Bill 1028 entitled "An Act to amend Section 11-6 of 'The School Code', approved March 18, 1961, as amended."

House Bill 1028, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bills 2366 and 2654 which amend the same section amended by House Bill 1028.

H.B. 1034
September 10, 1971

I herewith return House Bill 1034 entitled, "An Act to amend Section 17-2.2a of 'The School Code', approved March 18, 1961, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1034 with the following specific recommendation for change:

Amend House Bill 1034 on page 1, line 28 by striking "*programs*" and inserting in lieu thereof "*purposes*".

House Bill 1034 is a statutory revisory bill introduced at the request of the Legislative Reference Bureau. Section 17-2.2a of 'The School Code' provides for the levy of a tax for special education building purposes. The principal revision effected by this bill is to delete a reference to "full, fair cash value" and to recognize a change in agency from the Department of Revenue to the Department of Local Government Affairs. These revisory changes are not substantial and are properly recommended and would have my approval.

However, at line 28 language is added to that portion of the section detailing the conditions upon which the tax may be levied, requiring specifically that the levy occur only when "there are not sufficient funds available in the building fund of the district to pay the cost of the special educational building programs." By using the word "programs" rather than "purposes", the bill could be construed to broaden the condition beyond the purposes for which the tax may be levied, the dispute being one of interpreting the word "programs" as opposed to "purposes".

In order to insure that the phraseology is consistent throughout the same section, I am returning the bill with the above specific recommendation for change.

H.B. 1037
August 12, 1971

I herewith return, without my approval, House Bill 1037 entitled "An Act to amend Section 18-8 of 'The School Code', approved March 18, 1961, as amended."

House Bill 1037, one of a series of revisory bills prepared by the Legislative Reference Bureau to make needed nonsubstantive changes in the statutes, has been rendered unnecessary by my approval of House Bill 1485 which amends the same section amended by House Bill 1037.

H.B. 1113
August 2, 1971

Today, I have filed with my approval House Bill 1113, entitled, "An Act to amend Section 478.1 of the 'Illinois Insurance Code', approved June 29, 1937, as amended."

This bill authorizes agreements to be made among insurers admitted in this State concerning the equitable apportionment among them of property and casualty insurance which should be afforded applicants who are in good faith entitled to but who are unable to procure coverage in the normal market, and the use of reasonable rate modifications for such insurance subject to the approval of the Director of Insurance. The bill also requires that all insurers selling automobile insurance in this State must, as a condition of continuing their authority to conduct business in this State, participate in a plan approved by the Director for the apportioning of the automobile insurance risks of such applicants. It is therefore possible for the property and casualty insurance companies admitted to do business in Illinois to participate in the various involuntary insurance market plans without violating the State or Federal anti-trust laws and it is mandatory for each company selling automobile insurance in this State to participate in the Illinois Automobile Insurance Plan.

In approving House Bill 1113, I am mindful of the fact that Article XXX½ of the "Illinois Insurance Code", in which the Section 478.1 amended by this bill is included, is effective only until August 1, 1971 because of the limiting language in Section 472.1. However, Section 478.1 deals specifically with an aspect of the property and casualty insurance business entirely different from that covered in other Sections of Article XXX½. Its inclusion within the Article dealing with the rate-making process is apparently an historical anomaly which occurred as a result of problems confronting the insurance industry in 1947 when rate-making provisions were first added to the "Illinois Insurance Code."

However, there is in my judgment no legal contradiction between my approval of House Bill 1113 and the expiration of Article XXX½ of the "Illinois Insurance Code", and Section 478.1 of the Code continues in effect as amended, notwithstanding the expiration of other unamended Sections of the Code included within Article XXX½.

In *Krimmel* v. *Eielson*, 406 Ill. 202, 205 (1950) the Supreme Court of Illinois stated, *inter alia*, that ". . . it is the general rule that where an act, or section of an act, is amended so as to read as it is repeated in the amendatory act, . . . all such portions of the old law as are retained, either literally or substantially, *are regarded as the con-*

tinuation of the old law and not as a new enactment." (citing cases). A statute by a proper reference to another may incorporate in it the provisions of a former law, although the former may have expired, and the effect is to revive the former law. 82 C.J.S. "Statutes", sec. 248.

H.B. 1162
August 27, 1971

I herewith return, without my approval, House Bill 1162, entitled "An Act to amend Sections 1, 3 and 7 of the 'Fair Employment Practices Act', approved July 21, 1961, as amended."

This bill is substantially identical to House Bill 1975, which I have approved this date. It should be noted that unlike House Bill 1975, this bill is deficient to the extent that it fails to also amend the title of the Act.

H.B. 1163
September 23, 1971

I herewith return House Bill 1163 entitled "An Act to make January fifteenth a holiday."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1163 with the following specific recommendation for change:

Amend House Bill 1163 on page 1, by adding the following after line 15:

> "Section 2. The effective date of this bill shall be concurrent with the effective date of similar legislation passed by the federal Congress and signed into law."

House Bill 1163 is a companion to House Bill 1164 which I have returned today. For the reasons contained in my message accompanying House Bill 1164, I herewith return House Bill 1163 with specific recommendation for change.

H.B. 1164
September 23, 1971

I herewith return House Bill 1164 entitled, "An Act to amend Section 17 of 'An Act to revise the law in relation to promissory notes, bonds, due bills and other instruments in writing', approved March 18, 1874, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1164 with the following specific recommendation for change:

Amend House Bill 1164 on page 3, by adding the following after line 13:

> "Section 2. The effective date of this bill shall be concurrent with the effective date of similar legislation passed by the federal Congress and signed into law."

This bill and its companion, House Bill 1163, establish the fifteenth day of January of each year as a state holiday in commemoration of the birthday of Doctor Martin Luther King, Jr.

I commend the General Assembly for its desire to give proper recognition to the memory of Dr. Martin Luther King. The action of this General Assembly follows the precedent of the 76th General Assembly which set the 15th day of January to be known as a commemorative holiday for the purpose of devoting a portion of the regular school day to study and honor Doctor King's memory. I was pleased to join with the General Assembly in its action by approving that legislation.

However, I question whether it well serves the memory of Doctor King, or indeed any other individual or occasion, to establish a legal holiday in our state which is not established nationally or in any other state. The consequences of establishing a state holiday which is not recognized nationally has a severe impact on both the operations of government and of commerce.

This bill, together with House Bill 1163, would require the closing of the offices of County Clerks, Recorders, Sheriffs and would have the effect of closing down all offices within the departments of state government, in addition to affecting the operation of all banks in our state.

In view of the interdependence between the states, their operation of government and commerce, I believe that the establishment of holidays should more properly be the prerogative of our national government to insure both uniformity of the law and proper observance of the day throughout the nation. Accordingly, I would ask the General Assembly to reconsider its action on this legislation, both with regard to the enlargement of our existing legal holidays from the standpoint of being a precedent inviting abuse, and from the standpoint of memorializing Congress to take responsive action in this area.

H.B. 1167
August 27, 1971

I herewith return, without my approval, House Bill 1167 entitled, "An Act to amend Section 2-117 of the 'Illinois Pension Code' aproved March 18, 1963, as amended."

Amendments to the Pension Code proposed by House Bill 1167 were incorporated within Senate Bill 476 which I have previously approved. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 1186
August 12, 1971

I herewith return House Bill 1186, entitled "An Act to amend Section 1 of 'An Act in relation to County Zoning', approved June 28, 1935, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1186 with the following specific recommendation for change:

Amend House Bill 1186, on page 2, by striking line 15, and inserting in lieu thereof the following:

> "*the temporary use, for a period of time not to exceed one year, of land for the*".

House Bill 1186 provides that a county may not use its zoning powers to prohibit the temporary use, for a reasonable period of time, of land for the installation, maintenance and operation of facilities used by contractors in the ordinary course of construction activities.

I share the view that this bill could be useful in expediting highway and building construction projects in the rural areas and could reduce construction costs and effect economies. However, I do feel that the language "temporary use, for a reasonable period of time" is vague, indefinite and uncertain and would present serious difficulties in administration and enforcement. A maximum time limit of one year seems sufficient to permit adequate use of construction facilities as contemplated and at the same time does not unduly restrain the zoning authorities in the exercise of their powers.

H.B. 1187
September 17, 1971

I herewith return, without my approval, House Bill 1187, entitled "An Act to prohibit the recruitment and employment of professional strikebreakers in place of employees involved in a labor dispute, and to provide penalties for the violation thereof."

The provisions of this bill are similar to those contained in Senate Bill 560 which I have vetoed today. For the reasons stated in my message concerning Senate Bill 560, I veto and withhold my approval from House Bill 1187.

H.B. 1208

August 31, 1971

Today I have filed with my approval, House Bill 1208, entitled "An Act making an appropriation to the Legislative Advisory Committee to the Northeastern Illinois Planning Commission."

This bill appropriates $5,000 for the expenses of committee members so that the Committee may continue to act in an advisory capacity to the Northeastern Illinois Planning Commission.

In approving this appropriation I take cognizance of the opinions of some who challenge the need for comprehensive land use planning. However, never has the need for adequate planning in the six-county metropolitan area of Northeastern Illinois been more evident than it is today. Recent passage of two landmark state bond issues, one to upgrade the quality of local sewage treatment plants and the other to improve our transportation facilities, render it imperative that these new capital improvements be closely coordinated and related with other comprehensive plans and projects.

To date the work of the Legislative Advisory Committee has been of invaluable assistance both to the Commission and to the state legislature. Its efforts to develop recommendations to improve the quality of comprehensive planning as performed by the Commission must be continued. I am confident that the Committee's work will more than justify the expenditure of these monies.

H.B. 1212

September 2, 1971

I herewith return, without my approval, House Bill 1212 entitled, "An Act to amend Section 117-1 of the 'Code of Criminal Procedure of 1963', approved August 14, 1963, as amended."

House Bill 1212 denies probation to a person convicted of armed robbery or convicted of a crime committed while out on probation. I have previously approved Senate Bill 827, a later enactment of the General Assembly, which accomplishes this same purpose with certain exceptions which modify the denial of probation where the initial offense did not involve a crime of violence against another person. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 1218
July 13, 1971

I herewith return House Bill 1218 entitled "An Act in relation to financial assistance to non-public institutions of higher learning and making appropriations in connection therewith."

I have approved this bill with the exception of the following items on page 4, lines 18 through 27:

"For awards as provided for under Section 6 of this Act	$750,000
For administration of the provisions of this Act:	
For Personal Services	$ 26,300
For Retirement	3,700
For Contractual Services	3,000
For Travel	3,000
For Equipment	1,000
For Commodities	500
TOTAL	$ 37,500"

Veto of the foregoing items is necessary if the State is to maintain its fiscal integrity. By approving the appropriation of $5,970,900 for general assistance grants to private colleges and universities, I believe we are accomplishing the essential purpose of this Act. The administration of the Act can be accomplished by the Board of Higher Education without additional funds for this purpose.

H.B. 1309
August 24, 1971

I herewith return House Bill 1309 entitled, "An Act to amend Section 21 of 'An Act in regard to limitations', approved April 4, 1872, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1309 with the following specific recommendation for change:

Amend House Bill 1309 on page 1, lines 1, 5 and 8 by striking "21" and inserting in lieu thereof "22"; and on page 1, line 11, by striking "*21*" and inserting in lieu thereof "*18*".

House Bill 1309 amends our statute on limitations for causes of action to raise the infancy disability limitation for females to the age of 21, thereby making the infancy disability limitation for females to the age of 21, thereby making the infancy disability uniform for both males and females. In my judgment, this legislation is inconsistent in policy with my approval of Senate Bill 931, a later enactment of the

General Assembly which lowers the legal age of majority to 18. Public policy in this instance, which sets the age of legal majority for both males and females at 18, gives our young citizens a right under our statutory law which was not recognized in the common law. However, the right must also be measured by a corresponding legal duty. If, in the judgment of the General Assembly, 18 year old citizens have the capacity to contract, they should not enjoy a disability because of infancy, and therefore, should be as legally responsible for their actions as they are for their contracts.

This bill also suffers from a technical defect in that it purports to amend Section 21 of the Limitations Act, when in fact the provisions quoted are contained in Section 22.

H.B. 1395
August 24, 1971

I herewith return, without my approval, House Bill 1395 entitled, "An Act to amend Section 2.02 of the 'Game Code of Illinois', approved July 16, 1941, as amended."

This legislation would require the Department of Conservation to publish its administrative orders in at least four newspapers of general circulation and provides that the orders shall not be effective until at least five days after publication.

Although the Department presently publishes its orders, I am advised that this bill is sought in response to an alleged failure of the Department to promulgate an order concerning an area of Southeastern Cook County. In attempting to correct this situation, this bill was introduced to restore a publication requirement that was amended out of the Game Code in 1969 by Public Act 76-1353. That amendment was requested by the Department of Conservation in 1969 to reduce the cost of their statutory publication requirements.

Although I am not in a position to judge whether the incident which prompted this legislation merits increasing departmental publication costs at the expense of the taxpaying public, I do feel that this bill is inappropriate at a time when the General Assembly is considering House Bill 1369 and other legislation designed to give Illinois a uniform system of administrative procedures and promulgation of administrative orders.

H.B. 1443
September 23, 1971

I am returning herewith, without my approval, House Bill 1443, entitled "An Act to amend Section 5-167.2 of the 'Illinois Pension Code', approved March 18, 1963, as amended."

This bill would change the word "about" to "above", and this amendment is contained in House Bill 818 which I have approved today. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 1460
September 2, 1971

I herewith return House Bill 1460 entitled, "An Act to amend Section 4.1 of 'An Act relating to circuit courts', approved June 21, 1933, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1460 with the following specific recommendation for change:

Amend House Bill 1460, on page 1, by inserting immediately after line 20 the following:

> "Section 2. This amendatory Act of 1971 shall be subject to Executive Order 11615, dated August 15, 1971, as issued by the President of the United States to stabilize prices, rents, wages and salaries, together with any modification or extension thereof by or pursuant to Federal law."

House Bill 1460 increases the salaries of administrative secretaries in our circuit courts. In view of the President's economic action imposing wage and price controls, any legislated salary increase should be made subject to the President's executive order.

H.B. 1516
September 27, 1971

I herewith return House Bill 1516 entitled "An Act to amend Section 24-8 of 'The School Code', approved March 18, 1961, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1516 with the following specific recommendations for change:

Amend House Bill 1516 on page 1 by striking lines 15-17 and inserting in lieu thereof the following:

> "degree, [$5,000] $6,000; 120 semester hours or more and a bachelor's degree; [$5600] $6800; 150 semester hours or more and a master's degree, [$6000] $7900."; and

Amend House Bill 1516 on page 2 by inserting immediately after line 6, the following:

> "Section 2. This amendatory Act of 1971 shall be subject to Executive Order 11615, dated August 15, 1971, as issued by the President of the United States to stabilize prices, rents, wages and salaries, together with any modification or extension thereof by or pursuant to Federal law."

House Bill 1516 increases the minimum salary levels for fulltime teachers. In view of the President's economic action imposing wage and price controls, any legislated salary increase should be made subject to the President's executive order.

In addition, I do not feel that approval of this legislation at the level presented would be either appropriate or responsible following the conclusion of contracts with most school districts for this year. I am particularly concerned that the additional cost which would be required to implement that level is neither one which could be absorbed by the local district nor by the State in view of our limited fiscal resources.

The increase level I am recommending will provide a very significant increase above the current level but not so great as to cause the severe disruption possible at the level presented in the bill. I believe it is a better balancing of interests of both teachers and school boards in a time of economic stress.

H.B. 1578

August 27, 1971

I herewith return, without my approval, House Bill 1578 entitled, "An Act to amend Section 23-23 of 'The Election Code', approved May 11, 1943, as amended."

The 1943 Election Code authorized the court in an election contest to appoint a Board of Election Commissioners or a Canvassing Board to recount, take testimony, examine returns, record objections, determine the correct result of an election and report to the court. It further provided for the taxing of costs to the losing party and the awarding of attorney's fees to the winning party. In 1969, PA 76-1259 deleted this provision. House Bill 1578 would restore this provision with the exception of awarding attorney's fees.

Our laws regulating election contests should not be subject to continual change with inconsistent public policy positions. The taxing of costs and the existing procedures in elections contests have had the effect of discouraging contests. This area of election laws should be thoroughly re-examined with the view of restoring the confidence of the public in the honesty and integrity of the election machinery and not with the view that only the wealthy may contest an election. All of the public has an interest in the ultimate outcome of an election contest and no unnecessary obstacle should be placed in the way of a speedy, inexpensive, open election contest.

The 1970 Illinois Constitution requires the establishment of a State Board of Elections to have general supervision over the administration of election laws throughout our state. Presently, the Election Laws Commission is already working to revise and recodify our state's Election Code. Until both of these bodies have had an opportunity to examine our election laws in their entirety, particularly as concerns the contests of elections, approval of legislation such as House Bill 1578 would be inappropriate.

H.B. 1579
August 20, 1971

I herewith return, without my approval, House Bill 1579 entitled, "An Act to add Section 6c to 'An Act to provide for the creation and management of forest preserve districts,' approved June 27, 1913, as amended."

This bill would provide that no territory of any forest preserve district could be annexed by any municipality without the consent of the district.

The current law provides that a municipality can annex up to ten contiguous acres by ordinance without district consent. At present, legitimate interests of forest preserve districts are protected by PA 76-2518, approved as House Bill 2423 in the 1970 Session. Forest preserve districts have the power to issue licenses for any activity reasonably connected with the purpose for which the district was created on district land annexed by a municipality. Thus, there is no evidence that district prerogatives or responsibilities are being eroded under present law.

Furthermore, it has not been shown that municipalities are utilizing their annexation powers in an irresponsible manner. There is no compelling need to subjugate the annexation requests of municipalities to the full discretionary powers of forest preserve districts.

H.B. 1581

September 17, 1971

I herewith return, without my approval, House Bill 1581 entitled "An Act to make an appropriation and to provide for the distribution thereof to certain local government entities."

House Bill 1581 appropriates $32,085 for distribution to three municipalities for additional allocations of the 1/12 rebate of income tax collections during fiscal years 1970 and 1971 to which they allegedly would otherwise be entitled.

I do not believe it to be properly within the province of either the General Assembly or the office of the Governor to serve as the arbitrator of claims when an existing remedy of claims more suited to that purpose is available through the Court of Claims.

Neither the enacting clause nor any clearly documented legislative history of this bill establishes a basis upon which these claims are being funded by legislative appropriation. To fund these claims by special legislation would only encourage a proliferation of special bills with no clearly established judicial guidelines for their consideration. However, the Court of Claims is prepared to receive evidence, document its finding, and establish judicial precedent for this type of award.

H.B. 1596

July 15, 1971

I herewith return House Bill 1596 entitled "An Act to provide for the ordinary and contingent expenses of the Board of Vocational Education and Rehabilitation."

I have approved this in the total amount of $68,351,500. Pursuant to the authority vested in me by the provisions of Article IV, Section 9 (d) of the Constitution of 1970, I have reduced the following item and approved this item for expenditure in the reduced amount as stated.

Page	Line	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
1	26	For distribution to schools for approved programs in vocational and technical education, manpower development and training and to State educational institutions offering approved teacher training courses.	$16,845,500	$—2,000,000	$14,845,500
		Subtotal	$16,845,500	$—2,000,000	$14,845,500
Add:		Items approved as enacted	—	—	53,506,000
		Revised Total, H.B. 1596	$ —	$ —	$68,351,500

The foregoing reduction returns the funding "for the distribution to schools for approved programs in vocational and technical education, manpower development and training and to state educational institutions offering approved teacher training courses" to the budgeted level requested by the Board of Vocational Education and Rehabilitation. The funding level matches the priorities established by the Board.

H.B. 1628
August 4, 1971

I herewith return House Bill 1628, entitled "An Act to add Section 18-4.1 to 'The School Code', approved March 18, 1961, as amended."

Pursuant to the authority vested in me by Article IV, Section 9 (e) of the Constitution of 1970, I am returning this bill with the following specific recommendation for change:

Amend House Bill 1628 on page 1 by striking all of lines 21 through 23 inclusive, and inserting in lieu thereof the following:

> "*school districts shall be paid a tax equivalent grant equal to the product of the 1968 equalized assessed valuation of the property acquired by a qualified Federal Faculty or establishment and the current tax rate for school purposes in that district. Any*"; and

on page 1, line 26, by striking the words "*Section 18-4*" and inserting in lieu thereof "*this Section*".

The bill as enacted can provide a windfall for a school district by permitting a district-wide average assessed value per acre to be used in computing the claim, rather than the actual value of the property removed from the tax list. For this reason, I return House Bill 1628 with the above specific recommendation for change.

H.B. 1674

July 31, 1971

I am herewith returning, without my approval, House Bill 1674 entitled, "An Act to provide for the conveyance of the State's interest in certain land in Johnson County to the Vienna Chamber of Commerce."

On July 1, 1971, the Circuit Court of the First Judicial Circuit, Johnson County, Illinois, held in *Department of Public Works and Buildings* vs. *City of Vienna* et al, 71 ED 1, that the title of the tract of land described in House Bill 1674 be vested in the Vienna Chamber of Commerce. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 1676

July 16, 1971

I herewith return House Bill 1676 entitled, "An Act to provide for the ordinary, contingent and distributive expenses of the Illinois Junior College Board." I have approved this bill in a total amount of $78,935,032.

I.

Pursuant to the authority vested in me by the provisions of Article IV, Section 9 (d) of the Constitution of 1970, I have vetoed the following item on page 3, lines 1 through 5:

> "For distribution as special grants to qualifying junior college districts maintaining a recognized junior college for disadvantaged student projects as approved by the Illinois Junior College Board and the Board of Higher Education .... $1,000,000"

II.

Also pursuant to the authority vested in me by the provisions of Article IV, Section 9 (d) of the Constitution of 1970, I have reduced the following items and approved those items for expenditure in their reduced amounts as stated:

Page	Line	Appropriation Item	Amount Enacted	Reduced Herewith	Approved
1	11	Retirement	$ 13,559	$ —4,159	$ 9,400
1	18	Total	(406,296)	(—4,159)	(402,137)
1	32	Flat rate grants	59,046,954	—10,846,954	48,200,000
3	25	Retirement	4,670,000	—1,470,000	3,200,000
		Subtotal	$63,730,513	$—12,321,113	$51,409,400
Add:		Remaining totals approved as enacted			27,525,632
		Revised Total			$78,935,032

III.

With reference to my action reducing the item on page 1, line 32, it should be noted that this reduction anticipates my veto of House Bill 1677 which as of this date has not been presented to me. That companion bill amends the Public Junior College Act to replace the present grant rate of $15.50 per semester hour per student with a grant rate to be "specified for each year in the Act making the appropriation for this purpose." To ensure a consistency of action and gubernatorial intent, I herewith reduce the item of "$19.00" on page 1, line 30 of House Bill 1676 to "$15.50", the present statutory rate. This reduction is necessary to give effect to the reductions I have made in the appropriation for flat rate grants on page 1, line 32.

The foregoing reductions are necessary if the State is to maintain its fiscal integrity consistent with my messages of July 13, 1971, entitled "Budget Actions for Fiscal Year 1972" and "Higher Education Appropriations" addressed to the members of the 77th General Assembly as filed with the Secretary of State, pursuant to Article IV, Section 9, of the Constitution of 1970.

H.B. 1677
September 24, 1971

I herewith return House Bill 1677 entitled "An Act to amend Section 2-16 of the 'Public Junior College Act', approved July 15, 1965, as amended."

Pursuant to the authority vested in me by the provisions of Article IV, Section 9 (d) of the Constitution of 1970, I have vetoed this bill. In my veto message to you returning House Bill 1676, I indicated my intentions to veto this bill. Veto of this bill is consistent with my actions on House Bill 1676.

I believe that this veto is necessary if the State is to maintain its fiscal integrity consistent with my messages of July 13, 1971, entitled "Budget Actions for Fiscal Year 1972" and "Higher Education Appropriations" addressed to the members of the 77th General Assembly as filed with the Secretary of State, pursuant to Article IV, Section 9, of the Constitution of 1970.

H.B. 1707
September 23, 1971

I herewith return, without my approval, House Bill 1707, entitled "An Act to license and regulate travel agents and travel salesmen, to establish a Board of Travel Agent Examiners, to provide penalties for the violation thereof and to make an appropriation in connection therewith."

House Bill 1707 would create a licensing act for travel arrangers in the State of Illinois setting up a Board of Examiners of Travel Agents and Salesmen in the Department of Registration and Education which will administer the act. The bill was the product of the Illinois Travel Agency and Passenger Carrier Study Commission which held hearings and on the basis of the information elicited, formulated House Bill 1707. According to the Commission the major wrong that the bill was designed to cure is misrepresentation and fraud worked upon the traveling public by travel arrangers, including tour promoters who provide cut-rate air fares by forming groups to take advantage of the low charter rates authorized by the Civil Aeronautics Board. In their report, the Commission cited as the prime example of the wrong they are trying to remedy, the case of World Academy, Inc. of Cincinnati, Ohio, which failed last year to provide return transportation for over 5,000 students who as a result were stranded in Europe. These students had paid in advance for a round trip ticket but due to World Academy's financial failure found that they had to pay another return fare at the higher commercial rates. Unfortunately, the bill fails to solve this problem.

The interstate commerce clause of the United States Constitution would preclude the State from effectively regulating a travel arranger who operates in Illinois by mail or other instrumentality of interstate commerce and who does not establish an office within the State. The lure of low cost travel through membership in groups which exist solely to provide such benefits is so great that many people willingly join knowing nothing about the organization. They fail to determine if there are any assurances that the money which they pay in advance will ever be used to pay the cost of their travel. World Academy, Inc. was such an organization formed solely to supply cheap air transportation for its "members" through charter rates. The C.A.B. regulations clearly prohibits an organization being formed for this purpose, but operations like World Academy are found throughout the country often operating by mail with no branch offices. The Department of Registration and Education would be powerless to reach these groups if they only operate in interstate commerce.

The commerce clause would also prohibit the effective regulation of the travel wholesaler. Almost all of the travel wholesalers are located outside the state and it is they who arrange tour packages which are then sold nationwide to retail travel agents and large organizations. Many of these wholesalers have failed financially in recent months and have not applied the payments from retail travel agents or large organizations to pay for the services which have been sold. Due to the overwhelming problems arising from the interstate commerce nature of arranging interstate and international travel, the answer must lie in stronger Federal control over the entire field.

The bill is also deficient in that it provides in Section 9 that a certificate of registration may be issued without examination to anyone who is of good moral character and who has been engaged in the business of being a travel agent or travel salesman for two years prior to the effective date of the Act. Under this broad grandfather clause even the principals of World Academy, Inc. could be granted a license. A grandfather clause which grants a license to anyone who has been in the field for two years prior to the effective date of the Act would not furnish any meaningful protection to the people of the State of Illinois.

As has been noted, the main purpose of this legislation is to prevent fraud and misrepresentation upon the people of the State of Illinois. The citizens of the State of Illinois are already protected under the provisions of the Consumer Fraud Act administered by the Attorney General's office, and the provisions of the Criminal Code pertaining to criminal fraud. An individual would also have his full common law remedies for fraud and could complain to the C.A.B. for violations of their regulations pertaining to charter group and common carriers.

In addition to not correcting abuses this legislation was designed to correct, it would also put a burden on the local travel agent who would bear the brunt of regulation under House Bill 1707. The local travel agent has a good reputation in most communities. These individuals are primarily small businessmen who are closely controlled by either the Air Traffic Conference or the International Air Transport Association and are required to submit regular reports of all air transportation tickets sold. These individuals would be needlessly burdened by the provisions of this bill since it would require considerably more paper work, lack of freedom of recruiting of personnel and the normal restraints that go with any governmental regulation. All of this will come at a time when there will hopefully be increasing federal supervision over the entire field of travel arrangements.

The tour promoters who are located outside the State of Illinois and who offer cut-rate fares under an illegal use of charter flights or the fly-by-night operators who sell in Illinois for a short period of time will not voluntarily register. The only remedy that the State will have will be to bring costly and time-consuming lawsuits attempting to force those individuals who actually set up offices in the State of Illinois to be registered. As pointed out above, the Interstate Commerce clause will protect those operating from outside the state.

I have signed House Bill 1471 which will authorize the Travel Arrangers and Passenger Carrier Study Commission to continue for an additional year and I urge the Commission to reconsider this bill and to study the entire field of travel arranging with a view toward enacting legislation which will be compatible with Federal regulations and one that may be more easily enforced.

H.B. 1714

September 10, 1971

I herewith return, without my approval, House Bill 1714 entitled, "An Act creating the State School Lottery Study Commission, defining its power and duties, and making an appropriation therefor."

House Bill 1714 would create an eight member legislative interim commission to study desirability of establishing a state lottery. The bill also appropriates $15,000 for this fiscal year for the operations of this commission.

H.B. 1743

September 23, 1971

I herewith return, without my approval, House Bill 1743 entitled, "An Act to amend Section 10-23 of and to add Sections 2-3.37 and 10-23.9 to 'The School Code', approved March 18, 1961, as amended, and to make appropriations in connection therewith."

House Bill 1743 is identical to Senate Bill 805, on which I have already taken action. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 1753
September 21, 1971

I herewith return House Bill 1753 entitled "An Act to amend Sections 24-1 and 24-2 of the 'Criminal Code of 1961', approved July 28, 1961, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1753 with the following specific recommendation for change:

Amend House Bill 1753 on page 3, by striking lines 33 through 35 and on page 4, by striking lines 1 and 2, and inserting in lieu thereof the following:

> "homes and places of employment; watchmen while actually engaged in the performance of the duties of their employment; *security guards while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided that such commuting is accomplished within one hour from departure from home or place of employment, as the case may be. For purposes of this Section, security guards means persons employed by a licensed detective agency as defined by "An Act to provide for Licensing and Regulating Detectives and Detective Agencies," approved June 26, 1933, as amended, who are so employed for any of the purposes enumerated in Section 1 (B) of such Act."*

This bill adds to the offense of unlawful use of weapons the carrying within the corporate limits of a municipality of any loaded firearm. I concur with this amendment.

House Bill 1753 also permits security guards to carry their weapons to and from their place of employment. In this respect, the bill is similar to Senate Bill 515 which I have previously approved. In order to bring House Bill 1753's language into conformity with Senate Bill 515, adoption of the proposed change is recommended.

H.B. 1758
July 28, 1971

I herewith return House Bill 1758 entitled, "An Act making appropriations to the Superintendent of Public Instruction for the disbursement of certain monies."

I have approved this bill in a total amount of $82,381,000. Pursuant to the authority vested in me by the provisions of Article IV, Section 9 (d) of the Constitution of 1970, I have reduced the following items and approved these items for expenditure in their reduced amounts as stated:

Page	*Line*	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
1	15	Teachers Retirement System of the State of Illinois	$71,000,000	$—14,000,000	$57,000,000
1	18	Teachers Retirement System of the City of Chicago	24,150,000	—6,150,000	18,000,000
		Subtotal	$95,150,000	$—20,150,000	$75,000,000
Add:		Totals approved as enacted			7,381,000
		Revised Total			$82,381,000

The foregoing reductions are necessary if the State is to maintain its fiscal integrity. The retirement systems are not, and have not been, on an actuarially determined basis. My reductions result in FY 1972 appropriations at the same level as the FY 1971 appropriations. This action will not reduce benefit levels and does not impair the State's ability to meet all claims. The reductions are consistent with the principles of restraint in my message of July 13, 1971, entitled "Budget Actions for Fiscal Year 1972" addressed to the members of the 77th General Assembly, as filed with the Secretary of State, pursuant to Article IV, Section 9 of the Constitution of 1970.

H.B. 1764
September 17, 1971

I herewith return House Bill 1764 entitled, "An Act to add Section 98.1 to the 'Revenue Act of 1939', filed May 17, 1939, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1764 with the following specific recommendations for change:

Amend House Bill 1764 on page 1, by striking lines 21 through 30 and inserting the following:

> *"If a property owner wishes to support his request for a revision or correction of valuation of his property by facts set forth in income tax returns, he shall submit the entire return to the County Assessor, Supervisor of Assessments or Board of Assessors, provided however that only the actual portions of the return relating to the property for which a revision or correction is requested shall be a public record. If requested by the County Assessor, Supervisor of Assessments or Board of Assessors, the property owner shall execute a consent in favor of said assessor, supervisor or board instructing the taxing body with which the income tax return was filed to furnish a certified copy of the return so that the accuracy of the copy submitted to the assessor, supervisor or board may be verified.*
>
> *"Any person shall be promptly furnished copies of all complaints, supporting documents and other evidence, subject to the foregoing qualification, submitted by a property owner in support of a proposed revision and correction of valuation for his property and all public records of the County Assessor, Supervisor of Assessments or Board of Assessors by the Assessor, Supervisor or Board for a fee of $0.35 per page when the page to be photographed does not exceed legal size and $1.00 per page when the page to be photographed exceeds legal size."*

I.

This bill purports to be a measure reforming the public's right of access to public assessment actions and records. It purports to make three reforms: first, to make all hearings of assessors open to the public; second, to make all records produced at such hearings public; and, third, to restrict access to income tax returns to summaries of the returns available only to "law enforcement agencies, representatives of local government and representatives of news media."

The bill purports to reform. In fact, the bill is more restrictive than present law.

First, meetings of the assessor's office are already open to the public. Chapter 102, Section 42, of the Illinois Revised Statutes, commonly known as the "Open Meetings Act," already covers assessors' offices. Second, the records of the assessor's office are public records now. See Chapter 116, Section 43.4, *et seq.*, Illinois Revised Statutes; *People* v. *Peller*, 34 Ill. App. 2d 372 (1962); *People* v. *Board of Education of District 109*, 264 N.E. 2d 420 Ill. App. (1970). Third, the bill actually restricts the people's access to income tax returns used as the basis for lowering assessments, limiting access to a group of persons much narrower than those presently entitled to such records, and limiting the information available to summaries of the returns rather than copies.

These defects, however, are matters that can and should be corrected. They will be corrected if the specific recommendations for change which I am making in this message are approved.

II.

The openness of public records has been the subject of constitutional, legislative and judicial attention. The public's right to inspect public records has been expanded, rather than restricted, by each department of government.

On the federal level, a comprehensive public records statute allows access to government documents by any person, subject to exceptions which are not relevant in the consideration of this bill. Title 5, Section 552, United States Code.

The State of Illinois has also been active regarding public records. The 1970 Constitution provides in Article VIII, Section 1 (c):

> Reports and records of the obligations, receipt and use of public funds of the State, units of local government and school districts are public records available for inspection by the public according to law.

The State Records Act is contained in Chapter 116, Section 43.4, *et seq*., Ill. Rev. Stat., and applies to the inspection of state records. The Local Records Act, Chapter 116, Section 43.101, *et seq*., Ill. Rev. Stat., covers local subdivisions and assessor's offices. The definition of a public record is the same in both statutes except for minor, insubstantial variations.

III.

An important recent case discussing the State Records Act is *People* v. *Board of Education of District 109*, 264 N.E. 2d 420 (1970). The court's review of the applicable law is worth quoting at some length. The court said at pages 422-423:

> Also, we believe that the trial court was in error in dismissing Count I, in which the plaintiff sought a writ of mandamus to compel the defendants to permit him to examine a preliminary title report received by the defendants relative to the land conveyed, and to examine certain receipts relating to expenditures for brochures used in conjunction with a referendum. This count was dismissed on the ground that the "letter of opinion"

was not a public record, and that the court, in the exercise of judicial discretion, did not believe that justice required the issuance of the writ of mandamus. In our opinion, the plaintiff was entitled to a further hearing on the merit of this count.

Both the plaintiff and the defendants direct our attention to the State Records Act (Ill. Rev. Stat. 1969, ch. 116, par. 43.3 et seq.) as defining public records for this purpose. Section 3 of the Local Records Act (Ill. Rev. Stat. 1969, ch. 116, par. 43.103), applicable to boards of any county, municipal corporation or political subdivision, contains substantially the same provisions as those set forth in the State Records Act, and defines "public record" as follows:

> " 'Public record' means any book, paper, map, photograph, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included within the definition of public record."

As to the receipts, the defendants plead and claimed that they have at all times been willing to permit the plaintiff to examine and reproduce these records in the manner designated in the State Records Act, but they assert that the preliminary title report is not a "public record," subject to examination. They argue that a letter of opinion or preliminary report of title is not a record "required" to be kept, nor is it evidence of their procedures or operations. The statute, however, also refers to "other official documentary material * * * received * * * in connection with the transaction of public business and * * * appropriate for preservation * * * as evidence of the * * * activities thereof, or because of the informational data contained therein."

The defendants also direct our attention to *Linder* v. *Eckard*, 152 N.W. 2d 833 (Iowa 1967), in which it was held that an

> appraisal report was not subject to public inspection. However, the court stated therein at page 838 that appraisals were preliminary matters of investigation, and, until acted upon, material of that kind did not assume the status of a public record or writing. Thus, *Linder* suggests that the Iowa courts would hold preliminary matters, such as appraisals or preliminary title reports, to be public records once some official action has been taken upon them.
>
> In the case at bar, it appears from the record before us that official action has been taken on the preliminary title report in question. Under the applicable statutes of our State, the rationale of *Linder*, and the general desirability of a policy which permits the public inspection of documents acted upon by public officials in a public capacity, we believe the trial court erred in dismissing Count I of the complaint.

In *People* v. *Peller*, 34 Ill. App. 2d 372 (1962) the common law right to inspection as well as the State Records Act was considered. The court held that residents and taxpayers of a school district could copy and inspect records under both the State Records Act and common law. The court explained the justification for taxpayers' common law rights, stating at pages 374-375:

> The right of relators to reproduce the public records is not solely dependent upon statutory authority. There exists at common law the right to reproduce, copy and photograph public records as an incident to the common law right to inspect and use public records. Good public policy requires liberality in the right to examine public records. In 76 C.J.S. Records Chapter 35, p. 133, the author states: "The right of access to, and inspection of, public records is not entirely a matter of statute. The right exists at common law, and, in the absence of a controlling statute, such right is still governed by the common law. * * * all authorities are agreed that at common law a person may inspect public records * * * or make copies of memoranda thereof." In *Clay* v. *Ballard*, 87 Va. 787, 790, 13 S.E. 262, 263, the court said that at common law the right to inspect includes the right to copy. See also *Fuller* v. *State*, 154 Fla. 368, 17 So. 2d 207; State ex rel. *Colscott* v. *King*, 154 Ind. 621, 57 N.E. 535.
>
> Defendants say that relators have the right to look, examine and inspect with the naked eye the public records and copy by hand these public records, but that they have no right to photograph the records. This argument cannot be sustained by logic or common knowledge. Modern photography is ac-

> curate, harmless, noiseless and time saving. It does nothing more than capture that which is seen with the naked eye. Neither defendants nor the public can be harmed by the reproduction of the records exactly as they exist. The fact that more modern methods of copying are devised should not lessen the basic right given under the common law. The State Records Act declares the public policy relating to public records in the State of Illinois. It does not abrogate the common law.

As the foregoing cases make clear, if an income tax return is received by an assessor or is used as a basis for action by the assessor's office, it is a public record and thus subject to public inspection. Therefore, the second paragraph of the bill limiting access to income tax returns to summaries available only to "law enforcement agencies, representatives of local governments and representatives of the news media" is more restrictive than existing law.

The same is true of the provisions for public access to hearings concerning revisions or corrections in the assessed valuation of property. This provision covers the same ground as the mandate for open public meetings contained in Chapter 102, Section 42, of the Illinois Revised Statutes, the Illinois Open Meetings Act. That Act already applies to the hearings set forth in the bill.

IV.

The records and actions involved here are especially affected with a public interest in full disclosure.

To be sure, income tax returns are generally confidential. Section 6103, Internal Revenue Code; Chapter 120, Section 9-917, Ill. Rev. Stat. However, in my opinion when action is requested to lower an assessment the taxpayer must waive the confidentiality of those portions of his return used to obtain reassessment.

The owner of assessed property is under no compulsion to produce his tax returns. If he does so, it is to influence the official assessment. This is "documentary material" offered and "received . . . in connection with public business."

Tax returns are relevant to an assessment of property because they indicate return on investment and basis for tax purposes. If an economic approach to assessment is used, income tax returns are the key element in determining what income the property yields and laying the basis for a computation of value based upon that income. Even if the assessment is made on the basis of cost of construction and condition, income tax returns may be relevant.

Recent events have shown that an informed press and aroused citizenry can disclose shortcomings in assessments. To the extent that certain properties are under-assessed, the other taxpaying citizens in a county pay more than their just share of taxes. All taxpayers have an interest in the assessment process.

V.

The bill as it was presented to me keeps ordinary citizens in the dark about the use of tax returns to support changes in assessed valuations. The assessor and the property owner may know the facts upon which a decision is based, but not the general public. This policy is not consistent with good government in this instance, and it greatly restricts existing law.

An exception is made in favor of "representatives of the news media." No definition of this class is provided, although it is hardly self-defining. However, representatives of the news media are given access to tax returns. It is not explicitly stated that the news media may publish information concerning income tax returns without fear of liability for breaching the privilege of confidentiality.

There is no valid reason why the public should not be able to obtain this information itself. The interest of taxpaying citizens may be as great as the news media. Indeed, taxpaying citizens may have the most direct of interests, for they may wish to show that comparable property has been unequally assessed. As it stands, this bill would be a pervasive infringement on the practical exercise of the taxpayer's right to obtain equal assessment.

In view of the subject and purpose of this bill, there is no rational basis for differentiating between representatives of the news media and the general public. Accordingly, the bill's attempt to distinguish between the public at large and representatives of the news media, however they may be defined, raises serious constitutional questions. These questions could imperil the validity of the bill, which contains no severability clause, because of the vagueness of the purported distinction, the unjustified discrimination against the general public, and unequal classification attempted. Such constitutional uncertainties should be avoided if possible.

VI.

The bill should be modified in one other respect as well. In my judgment, information in an income tax return which does *not* relate to the property for which relief is requested should remain confidential. For example, income from a building may be only one source of income of the taxpayer. The other sources are not relevant to the relief requested, and should remain confidential. The general policy of confidentiality for tax returns should be preserved as fully as possible, because of the taxpayer's legitimate right to privacy except as specifically waived, and because confidentiality is important to effective tax administration.

H.B. 1766
July 31, 1971

I herewith return, without my approval, House Bill 1766, entitled "An Act to amend Section 3 of the 'Real Estate Transfer Tax Act', approved July 17, 1967, as amended."

This bill is identical to Senate Bill 982. Inasmuch as I have this day approved Senate Bill 982, there is legislative purpose to be served by permitting House Bill 1766 to become law.

H.B. 1802
September 8, 1971

I herewith return, without my approval, House Bill 1802 entitled, "An Act to amend Sections 15-112 and 15-113 of 'The Illinois Vehicle Code', approved September 29, 1969, as amended."

House Bill 1802 is identical to Senate Bill 612 to the extent that it would permit the shifting of a truckload in order to comply with the maximum weight limitation on a single axle. I have previously approved Senate Bill 612 on August 12, 1971. However, House Bill 1802 goes further than Senate Bill 612 in one respect which I believe would weaken our weight limit laws. The bill would authorize a court to exercise discretion to suspend or reduce the penalties imposed if it were shown that the violation was not the result of "inadequate loading techniques" or that "reasonable precautions were taken" by the owner or operator.

Under the present law, it has been held that penalties for violating weight limitations are mandatory, judgments for assessing fines for a lesser amount are void, and statutory penalties for overweight violations are neither excessive, unreasonable nor confiscatory. See *People v. Thompson*, 89 Ill. App. 2d 297 (1967); *People v. Salter*, 28 Ill. 2d 612 (1963); *People v. Munziato*, 24 Ill. 2d 32 (1962).

To the extent that House Bill 1802 would permit courts to receive evidence on "loading techniques" and "reasonable precautions", we would invite extensive litigation in our present enforcement procedures. Not only could this impede proper enforcement, but it would make it increasingly difficult to protect our highways and bridges from the rapid deterioration which would result from excessive axle loading, one of the principal factors in shortening the life of pavements and increasing our maintenance costs on both roads and bridges.

H.B. 1814
September 8, 1971

I herewith return, without my approval, House Bill 1814 entitled, "An Act to amend Section 15 of 'An Act in relation to the licensing and regulation of trailer coach parks', approved July 13, 1953, as amended."

The Act amended by House Bill 1814 has been repealed by Senate Bill 198 which I have previously approved. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 1819
September 23, 1971

I herewith return House Bill 1819 entitled "An Act to amend Section 5-8 of the 'Public Junior College Act', approved July 15, 1965, as amended."

Pursuant to the authority vested in me by the provisions of Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I veto this bill for the following reasons:

The provisions of this bill contradict those presented in other legislation which I intend to approve. I further believe that this legislation would preclude other options of financing junior college construction which should be considered.

H.B. 1825
September 23, 1971

I herewith return, without my approval, House Bill 1825, entitled "An Act to amend Sections 12 and 13 of the 'Water Well Contractor's License Act', approved July 21, 1959, as amended."

House Bill 1825 provides a procedure whereby water well contractors' licenses may be reinstated or restored by the payment of specific fees.

Today I am signing House Bill 2271 which incorporates the provisions of House Bill 1825, and therefore no legislative purpose would be served by permitting this bill to become law.

H.B. 1826
September 23, 1971

I herewith return, without my approval, House Bill 1826, entitled "An Act to amend Sections 13 and 14 of the 'Illinois Water Well Pump Installation Contractors License Act', approved August 20, 1965, as amended."

House Bill 1826 provides a procedure whereby water well pump installation contractors' licenses may be reinstated or restored by the payment of specific fees.

Today I am signing House Bill 2271 which incorporates the provisions of House Bill 1826 and therefore no legislative purpose would be served by permitting this bill to become law.

H.B. 1830
July 27, 1971

I herewith return, without my approval, House Bill 1830, entitled "An Act to provide for the ordinary and contingent expenses of the Legislative Commission to Visit and Examine State Institutions."

The appropriation enacted by this legislation is identical to that contained in Senate Bill 272, which I have previously approved. Therefore, no fiscal or legislative purpose would be served by approving this bill.

H.B. 1842
September 17, 1971

I herewith return House Bill 1842 entitled "An Act to amend Section 9 of the 'Environmental Protection Act', approved June 29, 1970."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1842 with the following specific recommendation for change:

Amend House Bill 1842 on page 2 by adding the following language at the end of line 5:

> *"Nothing herein shall limit the effect of any section of this chapter with respect to any form of asbestos, or the spraying of any form of asbestos, or limit the power of the Board under this chapter to adopt additional and further regulations with respect to any form of asbestos, or the spraying of any form of asbestos."*

For the reasons set forth in the message with which I have returned House Bill 785, I will not approve any bill which weakens the Environmental Protection Act of 1970. Although I am certain that the sponsors of House Bill 1842 did not intend to weaken existing law, the final version of the bill may be interpreted in a way which would erode our strong Act.

House Bill 1842 would amend Section 9 of the Act (Ill. Rev. Stat. ch. 111½, § 1009) to prohibit explicitly the spraying of loose asbestos "in such unconfined manner as to permit asbestos fibers or particles to pollute the air." I approve of such legislation. However, House Bill 1842, as presently worded, exposes the Environmental Protection Act to an interpretation which would leave Illinois with no asbestos pollution control except for the limited ban imposed by this Bill. The ban in House Bill 1842 does not cover the entire field of such control. It covers only spraying which will "pollute the air." In contrast, Section 9 of the Environmental Protection Act also bans activity which threatens air pollution or tends to cause it. The Act thus empowers the pollution control agencies to choke off air pollution dangers before they become serious. No legislation should be enacted which interferes with regulatory action beyond the limited ban in the Bill.

House Bill 1842 might be interpreted as a legislative attempt to occupy the entire field of State regulation of asbestos pollution, and to foreclose additional regulatory activity beyond the Bill's limited ban. That possibility should be eliminated by an appropriate amendment.

H.B. 1845
August 27, 1971

I herewith return, without my approval, House Bill 1845 entitled, "An Act to amend Section 1 of 'An Act to designate certain areas as State Parks, Memorials and Conservation areas and to vest jurisdiction over the same in the Department of Conservation', approved July 13, 1953, as amended."

This bill is substantially identical to House Bill 2572, which I have returned with specific recommendation for change. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 1864
August 4, 1971

I herewith return, without my approval, House Bill 1864, entitled "An Act to amend Section 17 of the 'Urban Transportation District Act', approved July 31, 1969."

The Urban Transportation District Act enacted by the 76th General Asembly established a separate agency of government with powers and duties relative to the development, improvement and other implementation of urban transportation requirements.

In Section 17 it is provided that such districts shall file annual reports and imposes upon the Auditor General of the State of Illinois the duty to semi-annually audit or cause to be audited the books and records of the district and to file copies of the audit report with the Legislative Audit Commission. House Bill 1864 would amend this section to provide that the audits be performed by accountants designated by the district instead of by the Auditor General.

If it is expected that Urban Transportation Districts are to be significantly supported by state funds, it is, in my judgment, preferable to leave this law as enacted so that the audit of the district may be performed by the Auditor General who under our new Constitution will be an appointee of the General Assembly which must appropriate the funds as opposed to having the audit performed by auditors selected by the district itself.

H.B. 1875
September 2, 1971

I herewith return House Bill 1875 entitled, "An Act to amend Section 6 and Section 8 of the 'Court Reporters Act', approved August 5, 1965, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1875 with the following specific recommendation for change:

Amend House Bill 1875 on page 3 by inserting immediately after line 10, the following:

> "Section 2. This amendatory Act of 1971 shall be subject to Executive Order 11615, dated August 15, 1971, as issued by the President of the United States to stabilize prices, rents, wages and salaries, together with any modification or extension thereof by or pursuant to Federal law."

House Bill 1875 increases the annual maximum compensation of court reporters. In view of the President's economic action imposing wage and price controls, any legislated salary increase should be made subject to the President's executive order.

H.B. 1878
September 10, 1971

I herewith return, without my approval, House Bill 1878 entitled, "An Act creating the Right of Privacy Commission, defining its powers and duties, and making an appropriation therefor."

House Bill 1878 would create an eight member legislative interim commission to study the question of right of privacy. The bill also appropriates $10,000 for this fiscal year for the operations of the commission.

This bill, together with other similar enactments, present once again the question of the function and role of interim legislative commissions. Although the existence of these commissions served the needs of a recessed General Assembly which otherwise met principally in biennial sessions, the Constitution of 1970 mandates that the General Assembly meet in annual sessions and "shall be a continuous body." In view of these substantive changes and the appropriations which I have approved for meeting the staff needs of committees, it is apparent that the need for interim legislative commissions, to serve as a between-session alternative to the standing committee system, is now removed. It is understandable that under the new Constitution every effort should be made to strengthen the legislative committee system rather than to encourage the creation of new interim commissions which diffuse the committee structure. To this end I do not believe that the approval of this legislation would serve the intent of the new Constitution, particularly when the subject matter to be studied by this commission could be reviewed by an existing standing committee of either House.

Upon reviewing this matter with legislative leadership, it is apparent that although the abolition of interim commissions is desired, sufficient opportunity must be given to insure an orderly transition. Accordingly, by my action today and upon the advice of leadership, I am returning without my approval legislation establishing new interim study commissions, consisting only of legislative members, and I am reducing non-budgeted appropriations where necessary on permanent and reestablished interim commissions.

H.B. 1880
August 16, 1971

I herewith return, without my approval, House Bill 1880 entitled, "An Act to add Sections 3b and 3c to the 'Uniform Hazardous Substances Act of Illinois', approved July 17, 1959, as amended."

The provisions of House Bill 1880 are substantially included within the provisions of Senate Bill 537. Senate Bill 537 contains a more complete definition of "noxious additive" and further provides for labeling requirements for glue or plastic cement containers. Inasmuch as I have approved Senate Bill 537, it would serve no legislative purpose to permit House Bill 1880 to become law.

H.B. 1895
August 17, 1971

I herewith return, without my approval, House Bill 1895, entitled "An Act making an appropriation to the Illinois Lewis and Clark Trail Committee."

This appropriation is not contained within the budget for fiscal year 1972. In view of the limited state resources which have compelled me to reduce appropriations for higher education and welfare, I am constrained to withhold my approval from this bill.

H.B. 1914
September 10, 1971

I herewith return, without my approval, House Bill 1914 entitled, "An Act to repeal 'An Act in relation to narcotic and dangerous drug addicts and unlawful users of narcotic drugs and providing for their commitment, detention and supervision', approved July 5, 1957, as amended."

House Bill 1914 would repeal the statute permitting civil commitment of drug addicts. At a time of uncertainty and change in patterns of drug abuse, it would prove unfortunate to have eliminated the civil commitment procedures entirely from the statutes.

Circumstances could arise in which a soundly framed civil commitment system would have usefulness in combatting the spread of drug abuse. The introduction of dangerous new drugs, future outbreaks of epidemics of abuse, or the development of new technologies of treatment, for example, could make civil commitment a more promising method of handling drug abuse under certain circumstances. Moreover, the availability of civil commitment, properly constituted, might be more compatible with handling drug use, or possession for use, as a disease rather than as a crime, at least in some situations.

I share the dissatisfaction with the effectiveness of existing civil commitment procedures, but I think it would be preferable to try to work to improve the existing law rather than repeal it. It should be amended to establish a carefully circumscribed system for civil commitment, with improved safeguards for the civil rights of persons committed involuntarily and with a heightened emphasis on treatment. I would be pleased to cooperate with the Drug Abuse Advisory Council and the General Assembly in such an effort.

As an important first step toward reshaping the Illinois statute, in connection with a related bill, House Bill 2006, I will exercise my powers, under the 1970 Constitution, to recommend a change in the existing civil commitment statute. Specifically, I will recommend that House Bill 2006 be changed to provide that the power over persons civilly committed is shifted from the Director of Law Enforcement to the Director of Mental Health. This is in keeping with a proper emphasis upon treatment of drug abuse as a disease rather than a crime. The Director of Law Enforcement, in fact, advises me that such powers not be retained by his department. Moreover, the former Director of the Illinois Drug Abuse Program, now the President's Coordinator for Drug Abuse, suggests that this would be a constructive and practical interim step.

For these reasons, I withhold my approval from and veto House Bill 1914, while urging your concurrence with my specific recommendations for change in House Bill 2006.

H.B. 1915

August 16, 1971

I herewith return, without my approval, House Bill 1915 entitled, "An Act to amend Section 10.1 of the 'Uniform Narcotic Drug Act', approved July 11, 1957, as amended."

House Bill 1915 amends the Uniform Narcotic Drug Act to authorize methadone programs under the approval of the Illinois Drug Abuse Program and the Department of Mental Health. The Uniform Narcotic Drug Act is repealed by Section 603 (a) of House Bill 787. Inasmuch as I have this day approved House Bill 787, it would be improper legislation to approve a bill which amends an Act that has been repealed.

Furthermore, under House Bill 787 the Department of Mental Health is empowered to authorize research programs and in House Bill 2016, which I have also approved this day, the Dangerous Drugs Advisory Council is an advisory body to the Department of Mental Health with respect to the operation of rehabilitation centers and other necessary facilities for the supervision and treatment of addicts and abusers of dangerous drugs.

H.B. 1959
September 23, 1971

I herewith return House Bill 1959 entitled "An Act to amend Sections 143.4, 143.5, 143.6 and 143.10 and to repeal Section 143.8 of the 'Illinois Insurance Code', approved June 29, 1937, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1959 with the following specific recommendation for change:

Amend House Bill 1959 on page 2 by striking lines 15 through 23.

The Attorney General has informed me that this stricken provision may conflict with provisions of the "Fair Credit Reporting Act" (PL 91-508, 84 Stat. 1127), effective April 25, 1971, in that: "House Bill 1959 might exclude liability to a consumer in situations where the Fair Credit Reporting Act would impose liability for damages sustained by a consumer as a result of a failure to comply with the provisions of this federal act."

H.B. 1963
September 8, 1971

I herewith return House Bill 1963 entitled, "An Act to amend Sections 6-5 and 9-3 of 'The School Code', approved March 18, 1961, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 1963 with the following specific recommendation for change:

Amend House Bill 1963 on page 1, lines 18 and 22, by striking "*21*" and inserting "*18*".

House Bill 1963 changes the residency requirements for school elections to conform with the new Constitution. However, this enactment is incomplete to the extent that it continues the requirement that the voters must be 21 years of age. In view of the recent ratification of the Twenty-sixth Amendment to the Federal Constitution, my proposed change would reflect the lowered voting age of 18.

H.B. 1965
September 23, 1971

I herewith return, without my approval, House Bill 1965, entitled "An Act to provide a private employment agency job placement service for certain Illinois veterans returning from military service to be administered by the Illinois Department of Labor, and to make an appropriation therefor."

House Bill 1965 establishes a program of providing placement services for returning Illinois veterans through private employment agencies and appropriates $500,000 in non-budgeted funds for the payment of job placement fees for the purposes of implementing this enactment.

Although I commend the General Assembly for its concern in assisting the returning veteran of Illinois in establishing himself an employed citizen in our communities, I have serious substantial and fiscal reservations about the approval of this legislation in the form in which it is enacted.

Although ostensibly designed to aid the returning veteran, it is, in fact, a direct appropriation to licensed private employment agencies for the payment of their placement fees in securing employment for returning veterans. The veteran himself receives no direct financial benefit, but instead, the State is underwriting at a cost of one-half million dollars, subsidies to private agencies providing the same services as those performed by governmental agencies at both the local, state and federal level.

The statute is further deficient to the extent that it confers upon an Executive Officer, in this instance the Director of the Department of Labor, or the Chief Inspector of Private Employment Agencies in the Department, extensive broad rule-making power, without guidelines as to the nature of the compensation to be paid through a specific agency. There is also no requirement that the veteran must continue in the employment which has been obtained by the employment agency, even though the agency may continue to be reimbursed by State funds for having obtained a position of employment initially.

The legislation also delegates to a 'coordinating committee' to be appointed by the Director or by the Chief Inspector of Private Employment Agencies who in turn may delegate to that committee their statutory duties under the Act. There is no specific provision concerning the exact number of members of the committee, their term of office, or whether they shall receive compensation for their services.

Although the Act provides a right of hearing by an aggrieved veteran, no provision is made for adjudicatory hearing on the part of the aggrieved private employment agencies. This legislation is further deficient in an administrative fiscal sense to the extent that if the absence of a specific formula and the proration of claims in the event an appropriation is exhausted, the executive agency could proceed to, and have unlimited power to contract. From a purely fiscal point of view, it is apparent that in view of the limited resources of our State which have compelled me to reduce appropriations for higher education, this bill can not be fiscally justified.

H.B. 2006
September 10, 1971

I herewith return House Bill 2006 entitled, "An Act to amend Sections 1, 3, 6, 7 and 8 and the title of 'An Act in relation to narcotic and dangerous drug addicts and unlawful users of narcotic drugs and providing for their commitment, detention and supervision', approved July 5, 1957, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 2006 with the following specific recommendation for change:

Amend House Bill 2006 on page 1, line 24, by striking "*Law Enforcement*" and inserting "*Mental Health*"; and

On page 3 by striking lines 10 and 11 and inserting in lieu thereof the following:

> "[of Mental Health with the consent of the Director, or in the Department of Public Safety or Division or]".

For the reasons contained in my message accompanying the veto of House Bill 1914, I herewith return House Bill 2006 with the foregoing specific recommendation for change.

H.B. 2008
August 16, 1971

I herewith return, without my approval, House Bill 2008 entitled, "An Act to amend Section 1 of 'An Act to create the Division of Professional Supervision in the Department of Registration and Education, and to make an appropriation in connection therewith', approved August 3, 1967, as amended."

This bill would require the Division of Professional Supervision of the Department of Registration and Education to administer the extensive duties and obligations imposed on the Department under the Illinois Controlled Substances Act, House Bill 787.

The Department should be allowed to allocate its duties under the Illinois Controlled Substances Act to its general staff. House Bill 2008 would impose additional duties on an already overburdened Division, restrict administrative flexibility of the Department, is not necessary and may indeed be harmful to effective administration of the Illinois Controlled Substances Act.

H.B. 2040
H.B. 2041
S.B. 734
S.B. 735
S.B. 738
September 8, 1971

I have today signed into law House Bill 2040, a bill authorizing school districts which provide transportation to their pupils to sell their buses and other vehicular equipment to Mass Transit Districts or Urban Transportation Districts organized under the laws of this state. Such school districts are further empowered to contract with Mass Transit Districts or Urban Transportation Districts for the transportation of their pupils to and from school.

In approving this bill, I am fully cognizant of the provisions of Article VII, Section 10, of the 1970 Illinois Constitution, which issues a broad grant of authority to any and all units of local government and school districts to contract and otherwise associate with each other and with individuals, associations or corporations in any manner not prohibited by law or ordinance. This Section from the new Constitution makes possible cooperation among units of government and between government and private parties in ways not yet imagined. It is my hope, therefore, that framers of future legislation addressed to this subject will bear these four things in mind:

1. All units of local government in Illinois may work together with other governments and private parties in any manner not prohibited by law or ordinance;
2. Units of local government with home rule powers have sufficient authority under the new Constitution to take action without further provision being made by statute;
3. Non-home rule units will need statutory permission to impose taxes or to reallocate funds from existing taxes to support intergovernmental activities;
4. Non-home rule units will need statutory permission to regulate private parties engaged in providing public services on a contractual basis.

The comments that I am making in respect to House Bill 2040 apply as well to House Bill 2041, Senate Bill 734, Senate Bill 735 and Senate Bill 738, which I have approved today.

H.B. 2050
September 17, 1971

I herewith return, without my approval, House Bill 2050 entitled "An Act to amend Sections 8, 55 and 64 of 'An Act concerning public utilities', approved June 29, 1921, as amended."

This bill would give the Illinois Commerce Commission final and exclusive authority over the location of major new facilities of all public utilities which may have substantial effects upon the environment. These include power plants, water treatment plants, sewage treatment plants, water facilities, pipelines, transmission lines, and facilities of all other public utilities. The bill would transfer important environmental protection authority from the new Illinois environmental agencies to the Commission. Furthermore, in light of the requirements of the federal Clean Air Act, as amended in 1970, House Bill 2050 would create an intolerable jumble of authority over the location of new potential sources of air pollution.

House Bill 2050 provides that "a certificate of public convenience and necessity . . . granted by the Commission . . . for the construction of any new plant, equipment, property or facility, shall be final as to and binding on any other state agency and on any unit of local government, other than a county having a population in excess of 250,000 or a city, village or incorporated town, with respect to its location."

House Bill 2050 effectively repeals portions of the Environmental Protection Act. That Act was carefully drawn to provide maximum protection to the citizens of Illinois. A single, centralized, expert mechanism was established to achieve environmental quality in Illinois. Fragmentation of the powers of those agencies, and redistribution of them to agencies with different expertise and authority, at this early date is not justified.

Such fragmentation would raise a direct threat to the effective implementation of the Illinois air quality program under controlling federal law. The federal Clean Air Act (42 U.S.C. §10) recognizes that control over the location of pollution sources is essential for effective air pollution control. The federal Act requires Illinois to adopt and submit to the federal Environmental Protection Agency a plan which provides for implementation, maintenance, and enforcement of air quality standards. (§110 (a) (1)). For such a plan to be accepted by the federal Environmental Protection Agency it must include "a procedure . . . for review . . . of the location of new sources to which a standard of performance will apply." (§110 (a) (2) (D)). The State must have the power "to prevent the construction or modification of any new source to which a standard of performance . . . will apply at any location which the State determines will prevent the attainment or maintenance within any air quality control region (or portion thereof) within such State of a national ambient air quality primary or secondary standard . . ." (§110 (a) (4); 42 C.F.R. §420.11 (a) (4)).

An air pollution control implementation plan is a scientifically devised program, reviewed and approved by the federal government, to conquer air pollution. It provides an interrelated set of rules and standards for *all* potential polluters. Since air pollution is the product of many sources acting in concert, the many parts of a plan necessarily relate to the other parts. Success of the plan depends on even handed implementation with respect to all sources.

House Bill 2050 would separate public utility pollution from all other pollution for special treatment by a special agency. While steel mills, chemical plants, refineries, apartment house owners, foundries and all other sources would be subject to the co-ordinated authority of the pollution control agencies with respect to the entire plan, public utilities would receive separate treatment from the Commerce Commission. However much co-ordination and co-operation there may be between the pollution agencies and the Commission, at this time it does not appear to be in the best interests of pollution control to treat one class of potential polluters differently from all others, nor to exempt one class of sources from the unique expertise of the pollution control agencies with respect to one critical aspect of the plan.

Since federal law requires *all* sources of air pollutoin to be subject to *some* control over location, all sources should be subject to the same regulation over location. Since we have a single expert set of agencies in this State for precisely this purpose, their jurisdiction should not be avoided for a special class of polluters.

House Bill 2050 presents another danger. The amendment to Section 8 of the Public Utilities Act would require the Commission, as part of its supervision of public utilities, to "keep informed as to their compatability with the environment." While the Commission should consider environmental factors in its decisions, House Bill 2050 may be interpreted as giving primary responsibility for environmental matters to the Commission. However, the Commission is not the primary environmental watchdog over public utilities in Illinois.

House Bill 2050 would have the further effect of interfering with the Environmental Protection Agency's control over location of sewage treatment plants. This authority, exercised by the Agency and its predecessor in the Department of Public Health for several decades, is essential to an effective and efficient water pollution control program. Several sewage treatment plants are public utilities. Under House Bill 2050 the Commission alone would have the authority to determine where such plants can be located. The environmental agencies are responsible for clean Illinois waters. Theirs is the State's primary technical expertise on these complex questions. By removing this authority from the Agency, we would risk waste of money and poorer water quality.

Many problems confront public utilities today, particularly energy suppliers. Increased energy demands have placed great strain on existing power plant facilities and have caused energy suppliers to invest literally millions of dollars in new plants and equipment.

Delay in construction of new power plant facilities can significantly increase their cost. The sponsors of this bill believe that it would alleviate delay associated with power plant siting and construction in Illinois. However, most delays have resulted from problems associated with equipment suppliers and federal regulatory agencies rather than with State of Illinois regulatory bodies. Realistically, the change suggested by House Bill 2050 would have only a minimal effect until such time as these other delays, particularly the regulatory delays occasioned at the federal level, have been solved.

H.B. 2058
September 24, 1971

I herewith return, without my approval, House Bill 2058 entitled, "An Act making an appropriation to Community Unit School District No. 2 in Williamson County."

This bill is a special grant to a single school district, which has not used its own non-referendum special education building tax to date. The Office of the Superintendent of Public Instruction appropriation includes $100,000 for planning a State-wide deaf program and an additional $100,000 for research. This bill would interfere with the state-wide program.

H.B. 2059
September 17, 1971

I herewith return, without my approval, House Bill 2059, entitled "An Act to amend Section 41 of 'An Act to protect the environment of the State and to repeal certain Acts therein named', approved July 1, 1970.

Among the principal achievements of the 76th Illinois General Assembly in 1970 was the passage of the Environmental Protection Act, the provisions of which have put Illinois foremost among the states in establishing effective means of protecting our environment. House Bill 2059 strikes an integral enforcement tool from the heart of the act. This bill would amend Section 41 to provide that the first reviewing court for decisions of the Pollution Control Board shall be the Circuit Court rather than the Appellate Court.

From a broad policy perspective, it is evident that throughout the United States the effectiveness of environmental protection has been severely weakened in the past by inadequate technical standards, insufficient and confusing laws, and procedures seemingly designed to afford polluters the maximum opportunity for delay. The Environmental Protection Act of 1970 sought to remedy these abuses in our state and to provide for the speedy adjudication of cases with ample legal safeguards for both public and private interests. The entire thrust of the act was to reform our laws to ensure swift and responsible enforcement while maintaining every standard of due process.

Essential to this act is the provision for the review of the decisions of the Pollution Control Board to the intermediate courts rather than the courts of first impression in our judicial system. The Illinois Constitutions of both 1870 and 1970 explicitly contemplate direct review of administrative agency decisions in the Appellate Court. This is also routine practice in the federal judicial system for appeal from decisions of federal administrative agencies. Such a procedure obviously saves time and considerable cost where no issues of fact need to be resolved in the reviewing process. Since the Pollution Control Board provides a careful fact-finding process, surrounded by adequate procedural safeguards, the reviewing court need only review questions of law.

In my judgment, House Bill 2059 would upset this carefully drawn balance and bring only delay to our pollution control efforts and benefit no one except those seeking by dilatory tactics to avoid compliance with clearly established statewide standards. I believe that to interpose additional judicial steps in the enforcement of our basic pollution law would only work to betray the public concern which the citizens of Illinois expressed overwhelmingly in approving our State's $750 million anti-pollution bond issue. No single act of the public has so clearly expressed the determination of our people to pay the cost of cleaning up our environment. I feel that the interest of the public must be met in ensuring rigorous and swift enforcement procedures, which approval of House Bill 2059 would only militate against.

H.B. 2063
September 23, 1971

I herewith return House Bill 2063 entitled "An Act to amend Section 13-101 of 'The Illinois Vehicle Code', approved September 29, 1969, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 2063 with the following specific recommendation for change:

Amend House Bill 2063 on page 2, line 8, by deleting the word "*truckster,*".

This bill would add the classification of "truckster" to those vehicles exempted from safety tests. The Department of Law Enforcement informs me that they are presently testing "trucksters" and feel that they should continue to do so.

With a maximum permissible weight of 3,000 pounds, these vehicles will be carrying more weight in proportion to the weight of the vehicle than the average pickup truck carries. These vehicles have only three wheels with very small tires thereon, with less tire surface in contact with the roadway than the normal pickup truck with four bigger wheels and tires. In essence, it is much more important for this type vehicle to be tested to determine if it has the best amount of braking effort possible.

H.B. 2091
August 4, 1971

I herewith return, without my approval, House Bill 2091, entitled "An Act to amend Section 5 of the 'Child Protection Act', approved August 14, 1963, as amended."

This bill relates to the administration of any Child Protection District by a District Administrative Board. House Bill 2132, which I have approved today, repeals those provisions of this Act which provide for the creation of Child Protection Districts. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 2221
July 13, 1971

I herewith return House Bill 2221 entitled, "An Act to provide for the ordinary and contingent expenses of The Illinois Scholarship Commission."

I have approved this bill in a total amount of $45,180,500. Pursuant to the authority vested in me by the provisions of Article IV, Section 9 (d) of the Constitution of 1970, I have reduced the following items and approved these items for expenditure in their reduced amounts as stated:

Page	*Line*	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
1	10	Personal Services	$ 436,000	$ —34,900	$ 401,100
1	12	State Contributions to Emp. Ret. System	24,500	—2,300	22,200
1	13	State Contributions to Social Security	17,000	—5,800	11,200
1	21	Total	(847,000)	(—43,000)	(804,000)
2	11	Grant Awards	44,600,000	—3,200,000	41,400,000
		Subtotal	$45,077,500	$—3,243,000	$41,834,500
	Add:	Totals approved as enacted			3,346,000
		Revised Total			45,180,500

The foregoing reductions are necessary if the State is to maintain its fiscal integrity consistent with my messages of this date entitled "Budget Actions For Year 1972" and "Higher Education Appropriations" addressed to the members of the 77th General Assembly, as filed with the Secretary of State, pursuant to Article IV, Section 9, of the Constitution of 1970.

H.B. 2280
July 22, 1971

I herewith return, without my approval, House Bill 2280, entitled "An Act to amend Section 1-132 of 'The Illinois Vehicle Code', approved September 29, 1969, as amended."

This bill is identical to Senate Bill 815 which I have approved today. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 2288
July 31, 1971

I am herewith returning, without my approval, House Bill 2288, entitled "An Act to amend Section 2a of "An Act concerning Public Utilities", approved June 29, 1921, as amended".

House Bill 2288 is identical to Senate Bill 218, which I approved on April 7, 1971. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 2305
September 10, 1971

I herewith return, without my approval, House Bill 2305, entitled "An Act to add Section 1-111.1 to 'The Illinois Vehicle Code', approved September 29, 1969, as amended."

This bill adds a new section to the Illinois Vehicle Code defining the term "combination of vehicles." However, the Secretary of State informs me that it does alter the number of vehicles which may be operated in combination and that this number is now specified in Section 15-107 (e) of the Illinois Vehicle Code. The Secretary feels that the passage of this bill will create confusion because of its conflict with Section 15-107.

In addition, the Attorney General, upon examination of House Bill 2305, finds "a seeming ambiguity as to what may be permitted or prohibited thereby with regard to combination of three vehicles."

H.B. 2309
August 27, 1971

I herewith return, without my approval, House Bill 2309 entitled, "An Act to amend Section 1 of 'An Act to designate certain areas as State Parks, Memorials and Conservation areas and to vest jurisdiction over the same in the Department of Conservation', approved July 13, 1953, as amended."

The provisions of House Bill 2309 are contained within House Bill 2572, which I have returned with specific recommendation for change. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 2344
September 2, 1971

I herewith return House Bill 2344, entitled "An Act making an appropriation to the Department of Conservation for the repair and preservation of Jubilee College State Memorial in Peoria County."

Pursuant to the authority vested in me by the provisions of Article IV, Section 9 (d) of the Constitution of 1970, I have reduced the following item and approved this item for expenditure in the reduced amount as stated:

Page	*Line*	*Appropriation Item*	*Amount Enacted*	*Reduced Herewith*	*Approved*
1	8	Repair and preservation of Jubilee College State Memorial	$ 65,000	$ 40,000	$ 25,000
		Revised Total			$25,000

I am advised that the restoration project to which this appropriation relates can be accommodated within an appropriation of $25,000 for fiscal year 72.

H.B. 2353
September 23, 1971

I herewith return, without my approval, House Bill 2353 entitled "An Act authorizing the Department of Public Works and Buildings to make highway improvements in Jefferson County on highway to be designated County Highway 43, and making an appropriation therefor."

House Bill 2353 appropriates $200,000 from the Road Fund for the construction of a road in Jefferson County.

Presently, it is the statutory responsibility of the Division of Highways of our Department of Public Works and Buildings to administer highway planning and development within the limits defined by my budget. Accordingly, the Division annually prepares a program of highway improvements for the following calendar year which is financed by a single appropriation item. Projects are included in the annual program first on the basis of need. The projects must also correspond to the funds available for that year. The specific highway project appropriated for in House Bill 2353 is not included in the annual improvement program for Fiscal 1972, nor are additional funds available to support this non-budgeted project.

Individually legislated highway projects cannot be accomplished without a companion disregard for statewide priorities. Our present system provides an orderly approach of engineering and fiscal evaluation which provides the total populace of the state with the best possible use of highway tax dollars.

The Division of Highways has approved the re-designation of the road in question to a county highway. In addition, the Division of Highways has requested the Federal Highway Administration to further re-designate a portion of this road as a Federal-aid Secondary. If so designated, it would be eligible for federal funds on a 50-50 basis. At this date, the request had not been acted upon. I have asked the Division of Highways to continue to cooperate with the local authorities and assist them in obtaining federal aid for this road project.

H.B. 2387
September 2, 1971

I herewith return, without my approval, House Bill 2387 entitled, "An Act to amend Section 117-1 of the 'Code of Criminal Procedure of 1963', approved August 14, 1963, as amended."

House Bill 2387 is identical to Senate Bill 827. Inasmuch as I have this day approved Senate Bill 827, there is no legislative purpose to be served by permitting House Bill 2387 to become law.

H.B. 2390
September 2, 1971

I herewith return, without my approval, House Bill 2390 entitled, "An Act to add Section 115-8 to the 'Code of Criminal Procedure of 1963', approved August 14, 1963, as amended."

This bill is identical to Senate Bill 830, which I have previously approved. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 2394
September 2, 1971

I herewith return, without my approval, House Bill 2394 entitled, "An Act to add Section 115-4.1 to the 'Code of Criminal Procedure of 1963', approved August 14, 1963, as amended."

This bill is identical to Senate Bill 834 which I have previously approved. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 2401
September 2, 1971

I herewith return, without my approval, House Bill 2401 entitled, "An Act to add Section 3.2 to 'An Act in relation to criminal identification and investigation', approved July 2, 1931, as amended."

This bill is identical to Senate Bill 816 which I have previously approved. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 2409
July 16, 1971

I hereby return, without my approval, House Bill 2409, entitled "An Act making appropriations to the Superintendent of Public Instruction for the disbursement of certain monies."

This bill makes an appropriation to the Superintendent of Public Instruction for payment of certain grants-in-aid programs similarly appropriated for in Senate Bill 1213. In view of my action of this date approving the same items in Senate Bill 1213, no fiscal or legislative purpose would be served by approving House Bill 2409.

H.B. 2449
August 4, 1971

I herewith return, without my approval, House Bill 2449, entitled "An Act to amend Section 53 of the 'Game Code of Illinois', approved July 16, 1941, as amended."

This bill, together with House Bill 2450, provides for a lifetime $7.50 combined hunting and fishing license for Illinois residents 65 years of age or older.

I commend the General Assembly for its action to reduce the hunting and fishing license fees for our senior citizens. Recently the fishing license for senior citizens was reduced to 50c, and today I was pleased to approve the enactment of Senate Bill 181 reducing their hunting license fee from $3.00 to $1.00. The effect of these legislative actions is that our senior citizens may both hunt and fish for an annual fee of only $1.50.

I believe that this course of legislative action is a better alternative to that posed by House Bills 2449 and 2450. Not only would these two bills provide an initial higher cost, but they would reduce our eligibility for federal support for our fish and game programs. I am advised by the Department of Conservation that federal aid is awarded on the basis of actual number of licenses sold annually. By giving a lifetime license, annual sales would necessarily be reduced and our matching federal funds curtailed.

H.B. 2450
August 4, 1971

I herewith return, without my approval, House Bill 2450, entitled "An Act to amend Section 37 of the 'Fish Code of Illinois', approved July 21, 1947, as amended."

This bill is a companion bill to House Bill 2449. For the reasons contained in my message accompanying the veto of House Bill 2449, I veto and withhold my approval from House Bill 2450.

H.B. 2454
January 17, 1972

I herewith return, without my approval, House Bill 2454 entitled "An Act to amend Section 37 of the 'Sanitary District Act of 1936', approved July 2, 1936, as amended."

House Bill 2454 provides that the general obligation indebtedness of a sanitary district be assumed by an annexing municipality where the sanitary district is dissolved by operation of law.

In this basic purpose House Bill 2454 is identical to House Bill 1635 which I approved on September 8, 1971, and which appears of record as Public Act 77-1491. Therefore no legislative purpose would be served to permit this bill to become law.

H.B. 2471
September 23, 1971

I herewith return, without my approval, House Bill 2471, entitled "An Act to amend Section 5 of 'An Act in relation to State finance', approved June 10, 1919, as amended."

House Bill 2471 is a companion bill to House Bill 1965 which I have vetoed today.

For the reasons contained in my message accompanying House Bill 1965, I herewith veto and withhold my approval from House Bill 2471.

H.B. 2569
August 31, 1971

I herewith return, without my approval, House Bill 2569 entitled, "An Act to add Section 10 to 'An Act in relation to county zoning', approved June 28, 1935, as amended."

This bill would allow a referendum to be held on the question whether a county board could exercise its zoning powers pursuant to Chapter 34 if a petition is signed by registered voters in the county equal in number to 5% of those voting in the most recent county general election. If zoning powers are denied in a referendum, the question could not be resubmitted before four years had elapsed.

This bill is objectionable for a number of reasons. Basically, it would greatly diminish the exercise of comprehensive land use controls by counties, potentially the most effective governmental unit in the development of our land. We are all aware of the ravages of unregulated growth. It is quite possible that irreparable damage to our environment would result if zoning powers were totally absent in any county.

Veto of this bill does not mean that legitimate citizen interests are not protected in the zoning process. Public hearings are still required prior to enactment of a zoning ordinance. Ordinances also have provisions for unique hardships and the entire process is always subject to judicial review.

Another crucial failure of this bill is that it does not exclude from the referenda process those municipal residents who are not in fact subject to county zoning powers. It is quite possible that municipal residents in a county could vote to override the wishes of those in unincorporated areas who are most directly affected and intimately concerned with county zoning. Nothing could be more undemocratic.

Finally, I have found no precedent anywhere for use of a referendum to ascertain whether a county should exercise zoning powers. I am convinced that present laws offer adequate protections against zoning abuses.

H.B. 2572
August 27, 1971

I herewith return House Bill 2572 entitled, "An Act to amend Section 1 of 'An Act to designate certain areas as State Parks, Memorials and Conservation areas and to vest jurisdiction over the same in the Department of Conservation', approved July 13, 1953, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 2572 with the following specific recommendation for change:

Amend House Bill 2572 on page 2 by inserting after line 16, the following: "*Jubilee College Park, in Peoria County*"; and on page 2 by striking line 21, and inserting in lieu thereof, "*Lewis and Clark State Park, in Madison County*"; and on page 3, line 5, by striking "*Sangchrist*", and inserting in lieu thereof, "*Sangchris*".

House Bill 2572 was introduced at the request of the Department of Conservation to officially designate newly acquired state parks. I have been requested by the Department to return this bill to correct a typographical error and to incorporate within this one enactment changes made by other bills amending the same section.

H.B. 2576
September 10, 1971

I herewith return, without my approval, House Bill 2576 entitled, "An Act creating the Wagering Revenue Source Study Commission, defining its powers and duties and making an appropriation therefor."

House Bill 2576 would create an eight member legislative interim commission to study the feasibility of establishing a state lottery. The bill also appropriates $15,000 for this fiscal year for the operations of the commission.

For the reasons contained in my message accompanying the veto of House Bill 1878, I herewith veto and withhold my approval from House Bill 2576.

H.B. 2584
August 31, 1971

I herewith return, without my approval, House Bill 2584 entitled, "An Act making an appropriation to the Department of Public Works and Buildings for certain highway construction in connection with the Peoria State Hospital."

House Bill 2584 appropriates $900,000 from the Road Fund for the construction of a road in Peoria County.

Presently, it is the statutory responsibility of the Division of Highways of our Department of Public Works and Buildings to administer highway planning and development within the limits defined by my budget. Accordingly, the Division annually prepares a program of highway improvements for the following calendar year which is financed by a single appropriation item. Projects are included in the annual program first on the basis of need. The projects must also correspond to the funds available for that year. The specific highway project appropriated for in House Bill 2584 is not included in the annual improvement program for Fiscal 1972, nor are additional funds available to support this non-budgeted project.

Individually legislated highway projects cannot be accomplished without a companion disregard for statewide priorities. Our present system provides an orderly approach of engineering and fiscal evaluation which provides the total populace of the state with the best possible use of highway tax dollars.

However, in recognition of the importance which the General Assembly attached to this highway project by its passage of House Bill 2584, I have asked the Division of Highways to review this road project and make a determination whether it is of sufficient priority to be included in the Fiscal 1973 road program.

H.B. 2628, see approval message for H.B. 207.

H.B. 2633
August 27, 1971

I herewith return, without my approval, House Bill 2633 entitled, "An Act to amend Section 10-4 of and to add Section 10-4.1 to the 'Mental Health Code of 1967', approved August 14, 1967, as amended."

The substance of House Bill 2633 was contained within a comprehensive amendment to Senate Bill 1014 which was introduced at the request of the Legislative Advisory Commission on Public Assistance. In view of the fact that I have previously approved Senate Bill 1014, as amended, no legislative purpose would be served by permitting this bill to become law.

H.B. 2635
September 17, 1971

I herewith return House Bill 2635 entitled, "An Act to add Section 34.2 to 'An Act codifying the powers and duties of the Department of Mental Health, and repealing certain Acts herein named', approved August 2, 1961, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 2635 with the following specific recommendation for change:

Amend House Bill 2635, on page 1, line 15, by striking "*the Department*" and inserting "*any agency of the State of Illinois*"; and

On page 1, by striking lines 25 through 29; and on page 2, by striking lines 1 through 3, and inserting in lieu thereof the following:

> "*appropriate for purchase by the Department. The Department shall be allowed to audit the books and records of the provider of the service.*"

On August 27th I was pleased to approve Senate Bill 1014 which was a comprehensive amendment to the Mental Health Code, detailing the Department's expanded authority with respect to placing persons in certain care facilities. Senate Bill 1014 substantially incorporated most of the provisions of House Bill 2635. However, one desirable element of House Bill 2635 was not carried forward in Senate Bill 1014 and should be incorporated into our law. That provision enables the Department of Mental Health to audit the books and records of every entity providing certain care service for persons who are within the jurisdiction of the Department.

To the extent that House Bill 2635 requires a written agreement between the Department and the provider of services, that bill could be construed as a limitation upon the Department's legal rights. Accordingly, the proposed change strikes all references requiring a written agreement.

H.B. 2651
September 17, 1971

I herewith return, without my approval, House Bill 2651, entitled "An Act to add Section 6-502 of 'The Illinois Vehicle Code', approved September 29, 1969, as amended."

House Bill 2651 establishes with the office of the Secretary of State a Drivers' License Control Review Board.

The enactment of this legislation addresses itself to a laudable purpose of providing a proper forum for the review of action of the Secretary's office restricting, suspending or revoking drivers' license privileges in our State. However, I am advised by the Secretary that at the time of the enactment of this legislation, the United States Supreme Court in the recent decision of *Bell v. Burson*, —U.S.—, 91 S. Ct. 1586 (1971), established far-reaching guidelines for due process in hearings such as those within the province of this newly created Board. The Secretary is of the opinion that this legislation may present constitutional questions of due process, particularly as concerns the Board's powers with regard to the review of suspensions and revocations. Therefore, rather than permit the statutory creation of a Board with questionable constitutional powers, it was deemed more appropriate to veto this enactment and consider a revised proposal in the October session of the General Assembly.

H.B. 2670
August 27, 1971

I herewith return, without my approval, House Bill 2670 entitled, "An Act to amend Section 1 of 'An Act to designate certain areas as State Parks, Memorials and Conservation areas and to vest jurisdiction over the same in the Department of Conservation', approved July 13, 1953, as amended."

This bill is substantially identical to House Bill 2572, which I have returned with specific recommendation for change. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 2765
September 17, 1971

I herewith return, without my approval, House Bill 2765, entitled "An Act to amend Section 18-309 of 'The Illinois Vehicle Code', approved September 29, 1969, as amended."

At the present time, the Illinois Commerce Commission is required to approve the sale of a controlling interest in any business entity holding a contract carrier permit or common carrier certificate. House Bill 2765 drastically changes this to allow any business entity which does not have an interest in another motor carrier to purchase a controlling interest in a corporation holding a certificate or permit without approval of, or notice to, the Commission.

The Motor Carrier of Property Law was enacted in 1953. Under its original provisions, stock in a motor carrier corporation could be purchased by a business entity which did not have an interest in another motor carrier without Commission approval. The law was greatly abused because many dormant and partially dormant authorities were purchased by middle men and immediately sold at much higher prices. Permits which had been revoked occasionally were sold to unsuspecting buyers. In addition, the Illinois Commerce Commission was unable to effectively regulate the purchasers of these authorities when they exercised previously unused portions of the authority, and this undermined the regulatory legal principle of "convenience and necessity".

By 1965 the abuses had become so severe that the "74th General Assembly amended the law to require Commission approval for the sale of all certificates and permits. This legislation was actively supported by the Illinois Commerce Commission. House Bill 2765 would, in effect, repeal the 1965 amendatory act.

The present law has given the Illinois Commerce Commission the power to effectively prevent the abuses which were experienced prior to 1965. In order to protect the public it is essential for the Illinois Commerce Commission to make an official determination that an applicant or purchaser of an authority possesses the necessary qualifications to serve and that there is a need for such service. Legislation which even remotely permits an unconscionable operator to engage in this vital public business is against the public interest.

H.B. 2769
September 21, 1971

I herewith return House Bill 2769 entitled "An Act to amend 'The State Library Act', approved July 13, 1939, as amended."

Pursuant to the authority vested in me by the provisions of Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 2769 with the following specific recommendation for change:

Amend House Bill 2769 on page 7, by deleting lines 15 through 32 and inserting in lieu thereof the following:

> "Sec. *10* [8]. *Users of the State Library.* Books, [and] other reading materials *and other library materials* shall be loaned *and library services shall be supplied* to:
>
> *State Officers and Officials;*
>
> *Members of the General Assembly;*
>
> *State agencies, bodies and commissions;*
>
> *State employees;*
>
> *Urban and rural schools not having school library facilities or access to a State-funded library system;*
>
> *Individuals living in communities without local library service and without access to a State-funded library system;*
>
> *Local public libraries where such loans or services are not available or cannot be obtained at a State-funded library system.*

[state officials, employees of the state, urban and rural schools not having library facilities in the schools, study groups, individuals living in communities without library service and to established libraries to supplement their book collection] and to other individuals *and study groups* at the discretion of the State Librarian.

Any individual, study group, school, library or community requesting *books or* other reading materials *or other library materials* from the State Library must fill in an application for this service.

Amend House Bill 2769 on page 3, line 31 by striking the word "*make*" and inserting in lieu thereof the word "*break*".

This bill provides for State Library policies, sets up a library advisory committee and clarifies the powers and duties of the State Librarian. I concur in these amendments.

However, the Secretary of State, as State Librarian, informs me that this bill in its enacted form is inconsistent with House Bill 1179 which I have approved today. This bill makes it discretionary whether to furnish supplemental book collections to local libraries, groups, etc. It is also confusing with respect to the difference between books and other library service. It is the Secretary's request that the language of this bill be consistent with House Bill 1179. These recommended changes will make this bill consistent with House Bill 1179.

The change I am recommending on page 3, line 31 corrects an inadvertent error.

H.B. 2843
September 27, 1971

I am herewith returning, without my approval, House Bill 2843, entitled "An Act to add Sections 33, 34, and 35, and to renumber Sections 33 and 34 of the 'Housing Development Authority Act', approved July 24, 1967, as amended."

This bill contains three new provisions relating to auditing and reporting requirements, the substance of which was incorporated into the Housing Development Authority Act by House Bill 2704 which I have approved today. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 2896
September 17, 1971

I herewith return, without my approval, House Bill 2896, entitled "An Act making an appropriation to the Department of Conservation for a study in relation to establishment of recreational trails and paths."

This bill would appropriate $25,000 to the Department of Conservation for a study of the feasibility of establishing a State system of recreational footpaths, hiking trails and bicycle paths or trails throughout the State.

The purpose to be served by this appropriation is already being accommodated in the existing budget of the Department of Conservation. At the present time, the Department is providing hiking and bicycle paths throughout most of our State parks. As part of the State's obligation to the Federal Department of Interior, the State is studying the feasibility of establishing a statewide system of bicycle trails for incorporation in its outdoor recreation plan. The development of that plan is proceeding on schedule. However, the imposition of a deadline as required by this bill may, in fact, provide insufficient time to develop a comprehensive plan which would satisfy neither the intent of the General Assembly, the wishes of the Department of Conservation, nor the requirements of the Department of the Interior.

Consequently, approval of this legislation would not serve to meaningfully accelerate the State's present program for the development of recreational hiking trails and bicycle paths.

H.B. 2914
September 17, 1971

I herewith return, without my approval, House Bill 2914 entitled, "An Act creating the Higher Education Commission, defining its powers and duties, and making an appropriation therefor."

House Bill 2914 would create a ten member legislative interim commission to study the higher education program of the State. The bill also appropriates $10,000 for this fiscal year for the operations of the commission.

For the reasons contained in my message accompanying the veto of House Bill 1878, I herewith veto and withhold my approval from House Bill 2914.

H.B. 2932
July 31, 1971

I am herewith returning, without my approval, House Bill 2932, entitled "An Act to provide for the ordinary and contingent expenses of the Department of Labor".

House Bill 2932 is identical to Senate Bill 516 which I approved July 13, 1971. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 2936
July 23, 1971

I herewith return House Bill 2936, entitled "An Act to provide for certain ordinary and contingent expenses in the Department of Public Works and Buildings."

Pursuant to the authority vested in me by the provisions of Article IV, Section 9 (d) of the Constitution of 1970, I have vetoed the following item on page 2, line 26:

"Big Kinkaid Creek-Jackson County 600,000"

The appropriation for the above line item is contained within Senate Bill 100 which I have approved today. In view of the identical character of the appropriation made in these two bills and my approval of Senate Bill 100, no fiscal or legislative purpose would be served by approving this line item in House Bill 2936.

H.B. 2944
July 22, 1971

I herewith return, without my approval, House Bill 2944, entitled "An Act to provide for the ordinary and contingent expenses of the Secretary of State."

This bill is identical to Senate Bill 798. Inasmuch as I have previously approved Senate Bill 798, there is no fiscal or legislative purpose to be served by permitting House Bill 2944 to become law.

H.B. 2945
July 22, 1971

I herewith return, without my approval, House Bill 2945, entitled "An Act making appropriations to the Secretary of State for state grants for public library systems."

This bill is identical to Senate Bill 799. Inasmuch as I have this day approved Senate Bill 799, there is no fiscal or legislative purpose to be served by permitting House Bill 2945 to become law.

H.B. 3014
August 9, 1971

I am herewith returning, without my approval, House Bill 3014, entitled "An Act to provide for the ordinary and contingent expenses of the Department of Public Works and Buildings," approved June 24, 1970."

This bill is identical to Senate Bill 1228, which I approved June 25, 1971. Therefore, no legislative purpose would be served by permitting this bill to become law.

H.B. 3032
September 10, 1971

I herewith return House Bill 3032 entitled "An Act to add Section 6 to 'An Act to revise the law in relation to the construction of statutes', approved March 5, 1874, as amended".

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 3032 with the following specific recommendations for change, with which the bill will have my approval:

Amend House Bill 3032 by striking lines 10 through 27 and inserting in lieu thereof the following:

> *"Sec. 6* ***Two or more Acts which*** *relate to same subject matter and which are enacted by the same General Assembly shall be construed together in such manner as to give full effect to each Act except in case of an irreconcilable conflict. In case of an irreconcilable conflict the Act last acted upon by the General Assembly is controlling to the extent of such conflict. The Act last acted upon is determined by reference to the final legislative action taken by either house of the General Assembly, whether such final action is passage on third reading in the second house, concurring in or receding from an amendment, adoption of a conference committee report, acceptance of the Governor's specific recommendations for change, or passage over the Governor's veto. However, for the purpose of determining the effective date of laws under Section 10 of Article IV of the Constitution of 1870 and 'An Act in relation to the effective date of laws', approved July 2, 1971, a bill is 'passed' at the time of its final legislative action before presentation to the Governor as provided in paragraph (a) of Section 9 of Article IV of the Constitution of 1970.*
>
> *An irreconcilable conflict between 2 or more Acts which amend the same section of an Act exists only if the amendatory Acts make inconsistent changes in the section as it theretofore existed.*
>
> *The rules of construction provided for in this section are applicable to Acts enacted by the same General Assembly throughout the 2 year period of its existence.".*

The purpose of House Bill 3032 was to codify the well established, but little understood, rules of construction applied by the Illinois courts in dealing with 2 or more amendments to the same section, and to provide that these rules should apply to Acts enacted by the same

General Assembly throughout the 2 year period of its existence and not just to those enacted at the same legislative session. However, the bill, as presented to me, fails to take into account those situations in which the final legislative action is acceptance of the Governor's specific recommendations for change or passage over the Governor's veto. My recommendations for change are designed to correct this oversight. Included in the recommendations is a recognition of the fact that, in those cases in which the final legislative action for the purpose of determining which of 2 conflicting bills is controlling takes place after the bill has been presented to the Governor and returned by him to the General Assembly, the passage of the bill, for the purpose of determining the effective date of legislation, refers to its original passage before presentation to the Governor.

Although the bill was originally directed solely to the problem of amendatory Acts which amend the same section, the same rules of construction are applicable to other cases of conflicting enactments. Accordingly, my suggested recommendations for change include broadening the scope of the bill to make it applicable to other cases of conflicting enactments.

The recommended changes have been reviewed with the Illinois Legislative Reference Bureau which concurs in the form and substance of the proposed change.

H.B. 3042
September 27, 1971

I am returning herewith, without my approval, House Bill 3042, entitled "An Act to amend Sections 8-1, 8-4, 8-5, 8-6, 8-8, 8-9, 8-10, 8-11, 8-12, 8-13, 8-14, 8-15, 8-17 and 25-6 of and to repeal Sections 8-5.1 and 8-5.2 of 'The Election Code', approved May 11, 1943, as amended."

This bill, together with a companion bill, Senate Bill 67, provides a procedure for filling legislative vacancies. This procedure would replace the present method of calling special elections to fill such vacancies. The procedure which would be initiated if these bills were approved is defective in several important respects.

The approach taken in these bills gives no consideration to the rights of independent candidates or the interests of voters supporting such candidates. They make allowance only for the two established parties. This restrictive approach is contrary to the policies contained in the Election Code which were achieved by the efforts of independents through many years of struggle. This defect may be a matter of constitutional invalidity as well as policy concern.

The bills provide no procedure for the giving of notice of a vacancy. This is critical in those cases where a vacancy for reasons other than death may occur, such as citizenship, insanity or criminal conviction. The bills provide no mechanism for the official certification or confirmation of the person appointed. Senate Bill 67 makes no provision for a legislative committee in those districts which overlap the Cook County line. Neither provides a procedure for filling a vacancy of a member-elect. Both bills are ambiguous in providing for the membership of a legislative committee for districts that comprise *less than one county*. The bills apply to districts which "comprise only one county."

While both bills make specific provisions for continuing the present representative district committeemen for purposes of vacancies in the present House, the bills are silent on the continued status of the senatorial district committeemen for the current Senate. At first blush this might not appear inconsistent in that representative district committeemen were elected, while the senatorial district committeemen are the same as legislative district committeemen described in the new bills. However, this is not the case as the senatorial district committees and the legislative district committees are not identical for the present Rockford, Peoria, DuPage County and St. Clair County districts. Consequently, there is serious doubt that there is current authority to fill a vacancy in the Senate under either bill. This is reinforced by the fact that the new legislative committees must first meet and organize and have no authority to meet and organize prior to the March primary, under the Election Code.

By permitting a weighted vote in certain districts, while utilizing the one-man, one-vote principle in others, the bills may be unconstitutional under the equal protection clause of the Federal Constitution. Particularly where the one-man, one-vote principle is followed in districts in Cook County, but no where else in the state. For the same reason, both bills may be defective under Article II, Section 4 of the Constitution requiring uniformity of election laws.

H.B. 3653
January 12, 1972

I herewith return House Bill 3653 entitled "An Act to amend Section 24A-10 of 'The Election Code', approved May 11, 1943, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 3653 with the following specific recommendation for change:

Amend House Bill 3653 on page 8, line 28, by adding at the end of line 28, the following:

> "while at such other location the boxes shall be in the care and custody of one or more teams, each consisting of 4 persons, 2 from each of the two major political parties, designated for such purpose by the election official in charge of elections from recommendations by the appropriate political party organizations"; and

on page 8, line 29, by striking the words "In such event", and inserting in lieu thereof the following:

> "As soon as possible".

On June 17, 1971, I approved Senate Bills 7, 8 and 9 which extended the requirements for electronic voting to our counties and municipalities over 40,000 in population. In many communities the first elections under this law will be conducted this year.

House Bill 3653 amends the procedures in these election jurisdictions to permit the carrying of electronic returns by the precinct judges to an intermediate location other than the main counting center. The bill then provides that such returns shall be taken from the intermediate location to the central counting location. Careful provisions are included for the guarding of the returns from the polling places to the intermediate locations and from the intermediate locations to the central counting location. It does not, however, make any provision for the safeguarding of these returns while at the intermediate location.

All returns should be carefully guarded from the time of voting until the counting and the final canvass. Statutes specifying the handling of such returns should impose clear provisions protecting them against manipulation or alteration. The proposed change is consistent with this public purpose by adding a guarantee which will work to avoid the opportunity of tampering with election returns.

H.B. 3680
January 27, 1972

I return herewith House Bill 3680 entitled "An Act relating to control of the erection and maintenance of billboards and other outdoor advertising devices on lands adjacent to the Federal-Aid Primary System and the National System of Interstate and Defense Highways in Illinois, to provide for the administration thereof, and to repeal an Act named herein."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning House Bill 3680 with the following specific recommendations for change:

Amend House Bill 3680, on page 4, by striking lines 7 through 12 and inserting in lieu thereof the following:

> "means any area adjacent to the right of way of a Primary Highway not zoned by any county or municipality and which lies within 600 feet of any commercial or industrial activity. All"; and

on page 4, lines 27 and 28, by striking the following:

> "or pursuant to the provisions of Section 4.09 of this Act"; and

on page 5, by striking lines 2, 3 and 4 and inserting in lieu thereof the following:

> "as industrial or commercial, or both."; and

on page 5, line 10, by striking the figure "4.09" and inserting in lieu thereof the following:

> "4.08"; and

on page 7, line 25, by inserting directly after "(b)" the following:

> "on"; and

on page 7, line 26, by inserting directly after the word "Act" the following:

> "when"; and

on page 8, by striking lines 6 and 7 and inserting in lieu thereof the following:

> "sign. Signs of this category may be permitted in areas covered under the provisions of Sections 4.04 and 4.05 of this Act, and"; and

on page 8 by striking lines 11 and 12 and inserting in lieu thereof the following:

> "State, or along Interstate Highways in areas which come within the definition in Section 3.11 of an "unzoned commercial or industrial area" along Primary Highways; provided however, that"; and

on page 9, by striking lines 9 through 14; and

on page 15, by striking lines 14 through 20; and

on page 15, line 21, by renumbering Section 16 to Section 15; and
on page 15, by adding below line 25 the following:

> "Section 16. This Act takes effect July 1, 1972."

House Bill 3680 enacts the "Highway Advertising Control Act of 1971". Aside from satisfying our desire to maintain the natural beauty of our roadsides, one of the compelling reasons for enactment of this legislation was to prevent the imposition of a penalty on this State which would have reduced federal highway funds by approximately $32 million annually.

I have been informed in an opinion by the Attorney General that the provisions of Section 4.09, as enacted, constitute "spot zoning" which has been held unreasonable and discriminatory in Illinois. The Attorney General also states that Section 4.09 violates the requirements of the federal "Highway Beautification Act of 1965" and defeats "effective control" of outdoor advertising signs as required by that Act in order to prevent imposition of the penalty. The Attorney General also informs me that Section 15, as enacted, is unconstitutional. Accordingly, the foregoing amendments delete Sections 4.09 and 15.

In addition, I am recommending changes in Section 3.11 and 3.12. The bill, as enacted, would permit signs in "business areas" on interstate highways which are constructed on right of way, any part of which was acquired prior to July 1, 1956. These areas were controlled under Illinois' existing billboard control legislation of 1965. If we now relinquish control, Illinois will suffer a loss of federal bonus funds estimated to amount to approximately $2 million. This change will not unduly restrict the outdoor advertising industry because very few, if any, signs would be permitted in these areas under the other provisions of the Act.

The other recommended amendments are changes in language to facilitate interpretation of the Act and the renumbering of Sections.

Record of Action
By Governor Richard B. Ogilvie
On Bills Passed By
The 77th General Assembly

1971 Fall Session
October 5 to November 13, 1971

Final

House Bills Passed	127
Approved	75
Certified	25
Filed without signature	0
Vetoed	6
Vetoed in part	0
Appropriation reduced	0
Appropriation reduced, vetoed in part	0
Returned	2
Senate Bills Passed	41
Approved	25
Certified	9
Filed without signature	0
Vetoed	0
Vetoed in part	0
Appropriation reduced	0
Appropriation reduced, vetoed in part	0
Returned	0
Total Bills Passed	168
Approved	81
Certified	34
Filed without signature	0
Vetoed	4
Vetoed in part	0
Appropriation reduced	0
Appropriation reduced, vetoed in part	0
Returned	2

HOUSE BILLS PASSED
With Action of Governor Ogilvie

205	A	11/ 8
245		
254	A	12/ 1
255	A	11/12
336	A	12/ 1
438	C	11/17
456	A	11/22
490	A	12/ 1
491	A	12/ 1
492	A	12/ 1
500	A	11/29
501		
535	C	11/17
549	C	11/17
584	C	11/12
614	A	11/ 3
615	A	12/ 9
618	A	11/22
687	C	12/ 1
783	A	12/ 8
785	C	12/ 3
813	A	12/ 8
837	A	12/ 1
840	A	11/29
844	C	10/28
845	C	10/28
1034	C	11/17
1049	A	12/ 3
1058	A	12/ 1
1088	A	12/10
1099	A	11/17
1121	A	12/ 3
1177	R*	12/20
1186	C	11/17
1197		
1202	A	12/ 1
1224	A	12/ 1
1275	A	12/ 1
1309	C	12/ 1
1311	A	12/ 1
1314	A	12/ 1
1460	C	11/17
1508	A	12/ 1
1510	A	12/ 1
1512	A	12/ 1
1516	C	11/17
1546	A	11/17
1564	A	12/ 8
1628	C	11/17
1684		
1753	C	11/17
1764	C	11/29
1787	A	12/10
1800	A	12/ 3
1842	C	11/17
1844	A	12/ 3
1875	C	11/17
1951	R*	12/ 3
1959	C	11/17
1963	C	12/ 1
2006	C	11/17
2047	A	12/10
2048	A	12/10
2049	A	12/10
2063	C	11/17
2167	A	12/10
2209	R*	1/12
2368	R*	12/ 1
2369	V*	12/ 1
2370	V*	12/ 1
2373		
2422	A	12/ 3
2454		
2485	V*	12/10
2572	C	11/17
2662	A	12/10
2663	A	12/10
2672	A	12/ 1
2673	A	12/ 1
2674	A	12/10
2680	A	11/22
2712	A	12/ 1
2732	A	12/ 1
2767	A	12/ 3
2769	C	11/17
2867		
2871	A	12/ 1
2872		
2878	A	12/ 1
2879	A	12/ 3
2889		
2897	A	11/17
2899	A	12/10
2948	V*	12/10
3015		
3032	C	11/17
3063	A	12/14
3064	A	12/14
3543	A	12/10
3552	A	12/ 3
3556	A	12/ 3
3560	A	12/ 1
3571	A	12/10
3572	A	12/ 3
3577	A	12/10
3600		
3621		
3622		
3623	V*	12/ 1
3624		
3638	A	11/29
3640	A	11/29
3641	A	12/10
3642	A	12/ 3
3643	A	12/ 3
3652	A	12/ 1
3653		
3654	A	12/10
3660	A	12/ 1
3674	V*	12/ 1
3680		
3690	A	12/ 8
3691	A	12/ 8
3704		
3707	A	12/ 3
3732	A	11/29
3735	A	12/ 1

A — Approved; V — Vetoed; VP — Vetoed in part; F — Filed without signature;
R — Returned; AR — Appropriation reduced.
C — Certified (approved as revised):

* Message accompanied governor's action.

SENATE BILLS PASSED

With Action of Governor Ogilvie

157	A	12/10	645	A	12/ 8	1195	C	10/28	1282			1311	A	11/22
233	A	12/ 1	646	A	12/ 8	1196	C	10/28	1284	A	12/ 8			
234	A	12/ 1	670	A	12/ 8	1197	C	10/28	1286	A	11/22			
236	C	11/ 9	710	C	11/17	1223			1287	A	12/ 3			
262	C	11/ 3	773	A	12/ 1	1224	A	12/ 8	1293	A	11/22			
349	C	11/17	938	A	12/ 3	1242			1297	A	12/ 1			
458	C	11/17	1054	A	11/29	1268	A	11/17	1299	A	11/22			
589	R*	12/20	1073			1272	A	11/24	1301	A	12/ 8			
597	A	11/22	1096	C	11/ 3	1273	A	11/24	1303	A	12/ 8			
644	A	12/ 8	1188	R*	1/17	1280	R*	1/21	1310	A	11/22			

A — Approved; V — Vetoed; VP — Vetoed in part; F — Filed without signature;
R — Returned; AR — Appropriation reduced.
C — Certified (approved as revised):
* Message accompanied governor's action.

MESSAGES

FALL SESSION

HOUSE BILLS

H.B. 1177
December 20, 1971

I herewith return, without my approval, House Bill 1177 entitled "An Act to amend Section 14 of Article IV of 'An Act relating to alcoholic liquors', approved January 11, 1937, as amended."

House Bill 1177 amends the Dram Shop Act to confer a special benefit upon a defendant who is a landlord and whose tenant has insurance at the time a cause of action arises. The bill limits the landlord's liability to the extent that "no judgment shall be enforced" against him where his tenant had insurance coverage in the minimum amounts prescribed by this enactment.

Although I recognize the desire of many to correct inequities under the Dram Shop Act, which I supported through my approval of House Bill 63, I do not believe that this enactment accomplishes that goal. Rather this bill creates a unique classification without parallel in other areas of civil liability in tort and raises serious constitutional questions of equal justice as well as establishing public policy precedents which may only serve to cloud the administration of our dram shop law in future years.

Initially, it should be noted that the bill is deficient in providing that if the insurance requirements are met, then "no judgment shall be enforced" against the landlord. This does not serve the interest of the landlord because he is not free from suit being instituted or prosecuted to judgment. The bill merely bars enforcement.

Nor does the bill fully protect the interest of the injured party because it imposes minimum insurance of only $40,000 in case of bodily injury or death to more than one person in a single incident — a limitation which is less than the statutory liabilities under the same section.

Lastly, the bill fails to completely include all landlords who have a liability imposed upon them under the statute. Our present law fixes liability upon "any person owning, renting, leasing or *permitting* *the occupation* of any building or premises . . ." (emphasis added). However, House Bill 1177 applies only to persons owing, renting or leasing and does not include "permitting the occupation" of a building. Consequently, a testamentary trustee under a will as well as a guardian or conservator of a minor's or other person's estate would not be eligible to the limitations of liability intended by this enactment. The exclusion of this class may well be unconstitutional as an unreasonable and arbitrary classification.

H.B. 1684
December 20, 1971

I herewith return House Bill 1684 entitled "An Act creating the Illinois-Mississippi Canal and Sinnissippi Lake Commission, defining its powers and duties, and making an appropriation therefor."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970, I am returning House Bill 1684 with the following specific recommendation for change:

> Amend House Bill 1684 by inserting immediately after Section 6, the following:
>
> > "Section 7. This Act shall take effect upon its becoming a law."

House Bill 1684 re-establishes the Illinois-Mississippi Canal and Sinnissippi Lake Commission and appropriates $7,500 for its operation. However, under the Constitution this law would not take effect until July 1, 1972. Consequently, the Commission would have no authority to act until that date at which time the appropriation would expire. To correct this result, my proposed recommendation for change will incorporate an earlier effective date within the body of the enactment.

H.B. 1951
December 3, 1971

I herewith return House Bill 1951 entitled "An Act to amend Sections 6-5, 8-15, 9-1a, 9-1b, 9.1-2 and 11.1-6 of 'The Park District Code', approved July 8, 1947, as amended."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970, I am returning House Bill 1951 with the following specific recommendation for change:

> Amend House Bill 1951 by inserting immediately after Section 1 the following:
>
> > "Section 2. This amendatory Act shall take effect upon its becoming a law."

As enacted, House Bill 1951 contains no provision determining its effective date. In the absence of such a provision, the bill would not be effective until July 1, 1972 by operation of Article IV, Section 10 of the Constitution of Illinois, 1970. This result would negate the legislative purpose of the bill which is to establish a 7% interest limitation on park district bonds issued prior to July 1, 1972. The proposed recommendation for change will accomplish this legislative purpose.

H.B. 2209
January 12, 1972

I herewith return House Bill 2209 entitled "An Act to amend Section 500 of 'The Unemployment Compensation Act', approved June 30, 1937, as amended."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970, I am returning House Bill 2209 with the following specific recommendations for change:

> Amend House Bill 2209 on page 2, by striking lines 31 through 37, inclusive, and inserting in lieu thereof the following:
>
> > "*available for work if,* [she has left her most recent work voluntarily because of pregnancy] *within thirteen weeks of the anticipated birth of her child, she has left her most recent work voluntarily because of pregnancy. Further, a woman shall be presumed to be unable to work and unavailable for work if she is discharged because of pregnancy within eight weeks of the anticipated date of childbirth, and her employer presents to the Director competent proof of her inability to work.* [; provided, in]"

These changes do not affect the substance of this bill. They are designed simply to clarify the intention of House Bill 2209 which was to limit the disabilities imposed against pregnant workers. This specific recommendation for change also conforms the bill to that of other exceptions contained in the Act concerning the concept of availability for work.

H.B. 2368
December 1, 1971

I herewith return House Bill 2368 entitled "An Act to amend Section 35.3 of 'The Civil Administrative Code of Illinois', approved March 7, 1917, as amended."

Pursuant to the authority vested in me by Article IV, Section 9(e) of the Constitution of 1970, I am returning this bill with the following specific recommendations for change:

> Amend House Bill 2368 on page 1 by striking lines 21 and 22; and
>
> On page 1, line 23, by striking "(d)" and inserting in lieu thereof "(c)"; and
>
> On page 1 by striking all of lines 29 through 31 and inserting in lieu thereof the following:
>
> "(d) Manage or delegate the management of the procurement, retention, installation, maintenance and operation of all electronic data processing equipment used by State agencies as defined in Section 35.7 of this Act so as to achieve maximum economy consistent with development of adequate and timely information in a form suitable for management analysis, *in a manner that provides for adequate security protection and back-up facilities for such equipment, the establishment of bonding requirements for electronic data and a code of conduct for all electronic data processing personnel to insure all the privacy of electronic data processing information as provided by law."; and*
>
> On page 2 by striking lines 1 through 7.

House Bill 2368 is a companion to House Bills 2369 and 2370. Each of these bills was passed by the General Assembly and each of them amended the same subsection. The amendments were substantively consistent, but had I approved all three bills, this section of the statute would have had to be set out three times in a confusing manner. My specific recommendations make no substantive change; they merely consolidate the amendments made in the companion bills and also delete a subsection that was inadvertently included in the three bills which was repealed by the 76th General Assembly.

H.B. 2369
December 1, 1971

I herewith return House Bill 2369, entitled "An Act to amend Section 35.3 of 'The Civil Administrative Code of Illinois', approved March 7, 1917, as amended."

For the reasons contained in my message returning House Bill 2368 with my specific recommendations for change, I veto and withhold my approval from House Bill 2369.

H.B. 2370
December 1, 1971

I herewith return House Bill 2370, entitled "An Act to amend Section 35.3 of 'The Civil Administrative Code of Illinois', approved March 7, 1917, as amended."

For the reasons contained in my message returning House Bill 2368 with my specific recommendations for change, I veto and withhold my approval from House Bill 2370.

H.B. 2373
December 20, 1971

I herewith return House Bill 2373 entitled "An Act creating the Data Information Systems Commission, defining its powers, and making an appropriation therefor."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970, I am returning House Bill 2373 with the following specific recommendation for change:

> Amend House Bill 2373 by inserting immediately after Section 7, the following:
>
> > "Section 8. This Act shall take effect upon its becoming a law."

House Bill 2373 re-establishes the Data Information Systems Commission and appropriates $12,500 for its operation. However, under the Constitution, this law would not take effect until July 1, 1972. Consequently, the Commission would have no authority to act until that date at which time the appropriation would expire. To correct this result, my proposed recommendation for change will incorporate an earlier effective date within the body of the enactment.

H.B. 2485
December 10, 1971

I herewith return, without my approval, House Bill 2485, entitled "An Act to amend Section 8-10 of 'The Election Code', approved May 11, 1943, as amended."

House Bill 2485 would provide that in the placement of candidates on the primary ballot for the office of representative or senator in the General Assembly top ballot position would be given to incumbents on the basis of seniority and then to non-incumbents as drawn by lot by the State Electoral Board.

The Attorney General has advised me that in view of recent decisions in both federal and state courts which have held unconstitutional the practices of favoring incumbents in ballot position, the provisions of House Bill 2485 are not constitutionally permissible under the Fourteenth Amendment of the Constitution of the United States. His complete opinion is attached hereto.

H.B. 2872
January 12, 1972

I herewith return, without my approval, House Bill 2872, entitled "An Act to transfer the Division of Boiler Inspection in the Department of Law Enforcement to the Department of Labor."

House Bill 2872 transfers the Division of Boiler Inspection from the Department of Law Enforcement to the Department of Labor.

I have been advised by the Bureau of the Budget that to approve this legislation at the present time raises fiscal considerations for the Departments of Law Enforcement and Labor, particularly as concerns increased funding of this unit through the General Revenue Fund and the probable unavailability of offsetting Federal Matching Funds under the Occupational Safety and Health Act of 1970. In view of these considerations and the fact that this legislation would not take effect until July 1, 1972, veto of this bill at this time is appropriate in order that this legislation may be reconsidered together with the submission of the budget in the spring session of this year so that the fiscal and re-organization issues can be considered as one.

H.B. 2948
December 10, 1971

I herewith return House Bill 2948 entitled "An Act to authorize the Department of Public Works and Buildings to vacate, extinguish, abandon, and release an easement for highway purposes held by the State of Illinois over, in and through certain land located in Fayette County, Illinois."

This bill authorizes the State to vacate a right-of-way easement in Fayette County on payment to the State of $1,275. The land described in this bill is identical to that contained in House Bill 1479, which I approved July 22, 1971, and which appears of record as Public Act 77-338. I am advised by the Department of Public Works and Buildings that the easement has been vacated, the consideration paid and an appropriate document entered of record in the Fayette County Recorder's Office. Therefore, no legislative purpose would be served by permitting House Bill 2948 to become law.

H.B. 3623
December 1, 1971

I herewith return, without my approval, House Bill 3623 entitled "An Act to amend Sections 7-1, 7-4, 7-8, 7-10, 7-12, 7-19 and 16-6.1 and to repeal Article 9 of 'The Election Code', approved May 11, 1943, as amended."

This bill is a step backward in the long struggle for an independent judiciary selected on the basis of merit. If this enactment became law, it could be a fatal setback for it would make permanent the present system of selecting judges as candidates of a political party.

By drawing judicial candidates into the party primary slatemaking and party primary election process, this bill would intensify the practice of treating the judiciary as part of a party's structure. It would intensify the practice of regarding the judiciary as functioning within the party structure and of regarding judges as being obligated to their party for judicial office.

These consequences would be unfortunate and unnecessary.

H.B. 3653
January 12, 1972

I herewith return House Bill 3653 entitled "An Act to amend Section 24A-10 of 'The Election Code', approved May 11, 1943, as amended."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970, I am returning House Bill 3653 with the following specific recommendation for change:

Amend House Bill 3653 on page 8, line 28, by adding at the end of line 28, the following:

> "while at such other location the boxes shall be in the care and custody of one or more teams, each consisting of 4 persons, 2 from each of the two major political parties, designated for such purpose by the election official in charge of elections from recommendations by the appropriate political party organizations"; and

on page 8, line 29, by striking the words "In such event", and inserting in lieu thereof the following:

> "As soon as possible".

On June 17, 1971, I approved Senate Bills 7, 8 and 9 which extended the requirements for electronic voting to our counties and municipalities over 40,000 in population. In many communities the first elections under this law will be conducted this year.

House Bill 3653 amends the procedures in these election jurisdictions to permit the carrying of electronic returns by the precinct judges to an intermediate location other than the main counting center. The bill then provides that such returns shall be taken from the intermediate location to the central counting location. Careful provisions are included for the guarding of the returns from the polling places to the intermediate locations and from the intermediate locations to the central counting location. It does not, however, make any provision for the safeguarding of these returns while at the intermediate location.

All returns should be carefully guarded from the time of voting until the counting and the final canvass. Statutes specifying the handling of such returns should impose clear provisions protecting them against manipulation or alteration. The proposed change is consistent with this public purpose by adding a guarantee which will work to avoid the opportunity of tampering with election returns.

H.B. 3674

December 1, 1971

I herewith return, without my approval, House Bill 3674 entitled "An Act to amend Sections 7-1, 7-4, 7-10, 7-12, 7-19 and 16-6.1 and to repeal Article 9 of 'The Election Code', approved May 11, 1943, as amended."

This bill is substantially identical to House Bill 3623 and suffers the same essential defects as that legislation.

MESSAGES

FALL SESSION

SENATE BILLS

S.B. 589
December 20, 1971

I herewith return Senate Bill 589 entitled "An Act to add Section 5.2 and repeal Section 5.1 of the 'Social Workers Registration Act', approved September 8, 1967, as amended."

Pursuant to the authority vested in me under Article IV, Section 9(e) of the Constitution of Illinois, 1970, I am returning Senate Bill 589 with the following specific recommendation for change:

> Amend Senate Bill 589, on page 1, by inserting after line 23 the following:
>
> > *"The Department shall issue, without the examination required by Section 4, a certificate of registration as a certified social worker to a person who meets the requirements of Section 4 except for the taking of the examination and who is registered as a social worker under the laws of a sister State, territory of the United States or Canadian province which are substantially identical to the requirements of this Act and which provide for similar registration without examination for persons issued certificates under this Act."*

Senate Bill 589 provides that an applicant for a certificate of registration as a social worker who has been actively engaged in the field of social work for 3 out of the past 5 years and who applies before December 31, 1972, may be admitted to the Social Workers written examination without having the undergraduate degree and 2 years of experience required by the statute.

I agree with the purposes of this enactment which are to provide a means by which some of the downstate case workers employed by the Illinois Department of Public Aid may be admitted to examination without being required to have an undergraduate degree. The initial grandfather clause on this registration act did not cover these individuals and it would be a hardship on them to meet the higher standards since many of them were in the field of social work prior to the enactment of this legislation.

However, this bill also repeals Section 5.1(d) containing the authority for the State to issue certificates of registration on the basis of reciprocity to registrants from other states. The Department of Registration and Education presently has reciprocity agreements with at least 6 other states and this provision is needed to continue these reciprocal agreements. I believe that the deletion of sub-paragraph (d) was a drafting error which can be corrected by incorporating its provisions in the new Section 5.2.

S.B. 1188
January 17, 1972

I herewith return Senate Bill 1188 entitled "An Act to amend Section 3-1 of, to add Section 6-6.1 to and to repeal Sections 6-5, 6-5.1, 6-5.2, 6-5.4, 6-5.6, 6-5.7 and 6-5.8 of the 'Public Junior College Act', approved July 15, 1965, as amended."

Pursuant to the authority vested in me under Article IV, Section 9 (e) of the Constitution of Illinois, 1970, I am returning Senate Bill 1188 with the following specific recommendation for change:

Amend engrossed Senate Bill 1188 on page 2, lines 6 and 7, by striking "full, fair cash" and inserting in lieu thereof "the"; and

on page 2, line 8, by striking "Revenue" and inserting in lieu thereof "Local Government Affairs"; and

on page 2, lines 10 and 16, by striking "*1973*" and inserting in lieu thereof "*1974*"; and

on page 2, line 21, by striking the second "*of*" and inserting in lieu thereof "*or*"; and

on page 2, line 25, by striking "*1972*" and inserting in lieu thereof "*1973*"; and

on page 3, lines 9, 18, 21, 23 and 32, by striking "*1973*" and inserting in lieu thereof "*1974*"; and

on page 4, by striking line 8 and inserting in lieu thereof the following:

> "*become effective, by operation of law, as of August 1, 1974, subject to any referendum for which a petition has been filed as hereinafter in this section provided.*
>
> *If 1/10 or 50, whichever is less, of the resident voters of any nondistrict territory with respect to which a hearing has been held pursuant to this section, file with the State Board, within 30 days after the State Board has filed its final map, a petition requesting that the question of the annexation of such nondistrict territory be submitted to the voters of such nondistrict territory, the*

> *State Board shall forthwith notify the appropriate county superintendent of schools, who shall call an election upon the question presented in the petition, to be held not sooner than 40 days nor later than 90 days after the filing of the petition. The provisions of Sections 3-4, 3-4.1 and 3-5 of this Act shall, except where obviously inapplicable, apply to and govern the notice and conduct of such election and the bearing of the costs. Such nondistrict territory shall not be annexed unless a majority of the votes cast on the question are in favor of annexation."; and*

on page 4, line 11, by striking "*1972*" and inserting in lieu thereof "*1973*".

This amendment would overcome two objections to the original bill. First, it would allow adequate time to develop and implement a state-wide plan and allow for the full exercise of the complex procedural safeguards outlined in the bill and the amendment. Secondly, the amendment protects the principle of allowing referenda votes on prospective tax levies. It provides that any groups which do not wish to be included in any junior college district at all can have a referendum and exclude an area from being placed in any district. The requirements for such petition to referendum out of the district are the same as the present statutory requirements to referendum into a district.

S.B. 1280
January 21, 1972

I herewith return Senate Bill 1280 entitled "An Act to add Section 11.1 to 'An Act to revise the law in relation to the State Treasurer', approved April 23, 1873, as amended."

Senate Bill 1280 enables the State Treasurer to execute State bonds with a facsimile signature in lieu of a manual signature which is currently required under the law.

Although this enactment appears to have merit by relieving the Treasurer or his deputy from the time consuming, physical burden of having to manually sign State bonds, there are several legislative and fiscal considerations which suggest that the bill not be approved at this time.

Initially, it should be noted that in 1959 Illinois adopted the Uniform Facsimile Signature of Public Officials Act, 1969 Ill. Rev. Stat. Ch. 102 §§ 61-68, which requires a manual signature on a public security. Senate Bill 1280 is not an amendment to this Act, but would create a conflict with this uniform law adopted by 19 states across the country.

Additionally, the facsimile signature policy advocated by this enactment directly conflicts with the American Bar Foundation's own guidelines for Model Debenture Indenture Provisions, 1967, similarly requiring a manual signature.

Lastly, I am advised that the investment community does not currently accept bonds which do not bear at least one manual signature.

In view of this State's recent entry into the bond market under the Anti-Pollution Bond Act of 1970 and the Transportation Bond Act of 1971, it is imperative that we not undertake any change in our laws which might cloud or impair our ability to market our public securities. If revision of the signature requirement is deemed advisable, then such revision should be made to the Uniform Act through the action of the Uniform Laws Commission on which both the legislative and executive departments of this State are represented.

SB 309, vetoed	9/ 7/71	ref. SB 702	approved 9/ 7/71
SB 349, returned	9/ 8/71		
SB 361, vetoed	8/13/71	ref. HB 2132	approved 8/ 4/71
SB 362, vetoed	8/13/71	ref. HB 2132	approved 8/ 4/71
SB 363, vetoed	8/13/71	ref. HB 2132	approved 8/ 4/71
SB 375, vetoed	8/13/71	ref. SB 8	approved 6/17/71
SB 386, vetoed	9/ 7/71	ref. HB 2076	approved 8/31/71
SB 430, vetoed	9/24/71	ref. HB 2421	approved 9/21/71
SB 440, vetoed	8/19/71	ref. HB 2430	approved 8/19/71
SB 446, vetoed	9/17/71	ref. HB 1763	approved 9/17/71
HB 872, vetoed	8/13/71	ref. HB 502	approved 7/22/71
HB 893, vetoed	8/19/71	ref. HB 1891	approved 8/17/71
HB 903, vetoed	8/20/71	ref. HB 787	approved 8/16/71
HB 923, vetoed	8/31/71	ref. HB 1969	approved 8/24/71
HB 950, vetoed	8/31/71	ref. HB 2982	approved 8/24/71
HB 972, vetoed	8/13/71	ref. SB 803	approved 8/ 4/71
HB 976, vetoed	8/13/71	ref. SB 756	approved 7/23/71
HB 977, vetoed	8/19/71	ref. SB 756	approved 7/23/71
HB 978, vetoed	8/19/71	ref. SB 756	approved 7/23/71
HB 979, vetoed	8/19/71	ref. SB 756	approved 7/23/71
HB 981, vetoed	9/ 8/71	ref. HB 1634	approved 9/ 8/71
HB 988, vetoed	9/ 7/71	ref. HB 1746	approved 8/31/71
HB 995, vetoed	8/13/71	ref. HB 1451	approved 7/23/71
HB 1012, vetoed	9/11/71	ref. HB 1925	approved 7/31/71
HB 1013, vetoed	8/13/71	ref. HB 1304	approved 7/ 2/71
		& HB 1925	approved 7/23/71
HB 1023, vetoed	9/11/71	ref. HB 1075	approved 9/10/71
HB 1028, vetoed	8/13/71	ref. HB 2366	approved 7/31/71
		& HB 2654	approved 7/31/71
HB 1034, returned	8/13/71		
HB 1037, vetoed	8/13/71	ref. HB 1485	approved 8/ 4/71

IDENTICAL OR SIMILAR BILLS

SB	10, vetoed	8/13/71	ref.	HB	1135	approved	8/ 9/71
SB	25, vetoed	8/ 5/71	ref.	HB	16	approved	7/ 2/71
SB	28, vetoed	9/24/71	ref.	SB	209	approved	9/23/71
SB	455, vetoed	7/23/71	ref.	HB	624	approved	7/23/71
SB	456, vetoed	7/23/71	ref.	HB	623	approved	7/23/71
SB	475, vetoed	7/27/71	ref.	HB	2572	returned	8/27/71
SB	576, vetoed	9/17/71	ref.	HB	69	approved	9/23/71
SB	591, vetoed	8/10/71	ref.	HB	1346	approved	8/ 9/71
SB	650, vetoed	7/22/71	ref.	HB	2681	approved	7/22/71
SB	715, vetoed	8/13/71	ref.	HB	53	approved	8/12/71
SB	796, vetoed	7/22/71	ref.	HB	2943	approved	7/22/71
SB	797, vetoed	7/22/71	ref.	HB	2942	approved	7/22/71
SB	828, vetoed	9/ 2/71	ref.	HB	2388	approved	9/ 2/71
SB	829, vetoed	9/ 2/71	ref.	HB	2389	approved	9/ 2/71
SB	1008, vetoed	8/12/71	ref.	SB	475	approved	8/ 4/71
SB	1128, vetoed	8/ 5/71	ref.	HB	2157	approved	7/26/71
SB	1174, vetoed	9/ 8/71	ref.	SB	515	approved	9/ 8/71

IDENTICAL OR SIMILAR BILLS

HB	8, vetoed	8/16/71	ref.	HB	788	approved	8/16/71
HB	9, vetoed	8/16/71	ref.	HB	788	approved	8/16/71
HB	54, vetoed	8/16/71	ref.	HB	788	approved	8/16/71
HB	55, vetoed	8/16/71	ref.	HB	788	approved	8/16/71
HB	209, vetoed	8/27/71	ref.	HB	2572	approved	8/27/71
HB	301, vetoed	4/ 8/71	ref.	SB	36	approved	4/ 7/71
HB	437, vetoed	8/18/71	ref.	HB	438	returned	8/17/71
HB	457, vetoed	8/19/71	ref.	HB	539	approved	7/23/71
HB	573, vetoed	8/10/71	ref.	SB	905	approved	7/15/71
HB	585, vetoed	8/ 2/71	ref.	HB	1204	approved	7/31/71
HB	686, vetoed	8/24/71	ref.	SB	931	approved	8/24/71
HB	723, vetoed	9/17/71	ref.	SB	1085	approved	9/ 7/71
HB	1162, vetoed	8/27/71	ref.	HB	1975	approved	8/27/71
HB	1167, vetoed	8/27/71	ref.	SB	476	approved	8/ 4/71
HB	1187, vetoed	9/17/71	ref.	SB	560	vetoed	9/17/71
HB	1212, vetoed	9/ 2/71	ref.	SB	827	approved	9/ 2/71
HB	1443, vetoed	9/24/71	ref.	HB	818	approved	9/23/71
HB	1743, vetoed	9/24/71	ref.	SB	805	approved	9/23/71
HB	1766, vetoed	8/ 2/71	ref.	SB	982	approved	7/31/71
HB	1825, vetoed	9/24/71	ref.	HB	2271	approved	9/23/71
HB	1826, vetoed	9/24/71	ref.	HB	2271	approved	9/23/71
HB	1830, vetoed	7/28/71	ref.	SB	272	approved	7/27/71
HB	1845, vetoed	8/27/71	ref.	HB	2572	returned	8/27/71
HB	1880, vetoed	8/16/71	ref.	SB	537	approved	8/16/71
HB	2280, vetoed	7/22/71	ref.	SB	815	approved	7/22/71
HB	2288, vetoed	7/31/71	ref.	SB	218	approved	4/ 7/71
HB	2369, vetoed	8/27/71	ref.	HB	2572	returned	8/27/71
HB	2370, vetoed	12/1/71	ref.	HB	2368	returned	12/1/71
HB	2387, vetoed	9/ 2/71	ref.	SB	827	approved	9/ 2/71

IDENTICAL OR SIMILAR BILLS — Concluded

HB 2390, vetoed	9/ 2/71	ref. SB	830	approved	9/ 2/71
HB 2394, vetoed	9/ 2/71	ref. SB	834	approved	9/ 2/71
HB 2401, vetoed	9/ 2/71	ref. SB	816	approved	9/ 2/71
HB 2409, vetoed	7/16/71	ref. SB	1213	approved	7/16/71
HB 2454, vetoed	1/17/72	ref. HB	1635	approved	9/ 8/71
HB 2633, vetoed	8/27/71	ref. SB	1014	approved	8/27/71
HB 2670, vetoed	8/27/71	ref. HB	2572	returned	8/27/71
HB 2843, vetoed	9/27/71	ref. HB	2704	approved	9/27/71
HB 2932, vetoed	8/ 2/71	ref. SB	516	approved	7/13/71
HB 2944, vetoed	7/22/71	ref. SB	798	approved	7/13/71
HB 2945, vetoed	7/22/71	ref. SB	799	approved	7/23/71
HB 2948, vetoed	12/10/71	ref. HB	1479	approved	7/22/71
HB 3014, vetoed	8/10/71	ref. SB	1228	approved	6/25/71
HB 3674, vetoed	12/2/71	ref. HB	3623	vetoed	12/1/71
HB 1915, vetoed	8/16/71	ref. HB	787	approved	8/16/71

INDEX

ANTITRUSTS

Antitrust Act, exempts barbers, SB 64 vetoed 7/2/71 166
Antitrust Act, conformacy to Judicial Article, HB 437 vetoed 8/17/71 222
Antitrust Act, conformacy to Judicial Article, HB 438 returned 8/17/71 223

ADVERTISING

Highway Advertising Control Act of 1971, enacts, HB 3680 returned 1/27/72 324

AIRPORTS

DuPage County Airport, approp., SB 960 vetoed 8/12/71 193

APPROPRIATIONS

Aeronautics. Dept. of, DuPage County Airport grant, SB 960 vetoed 8/12/71 193
Board of Governors of State Colleges and Universities, ordinary and contingent expenses, SB 636 reduced 7/14/71 179
Board of Higher Education, SB 1140 reduced 7/15/71 202
  ordinary and contingent expenses, SB 1142 reduced 7/13/71 202
Board of Regents, ordinary and contingent expenses, SB 742 line item veto and reduced 7/16/71 187
Board of Vocational Education and Rehabilitation, ordinary and contingent expenses, HB 1596 reduced 7/15/71 270
Business and Economic Development, Dept. of, ordinary and contingent expenses, SB 223, line item veto 7/16/71 168
  grants, regional port districts, SB 1243 vetoed 9/8/71 211
Collinsville Chamber of Commerce, reimbursement, SB 97 vetoed 9/8/71 166
Conservation, Dept. of, trails feasibility study, HB 2896 vetoed 9/17/71 314
  Jubilee College State Memorial, HB 2344 reduced 9/2/71 303
Crime Investigating Commission, SB 38 approved 3/4/71 165
Educational Development Board Act of 1971, enacts, SB 1197 returned 9/19/71 207
Educational television, SB 964 vetoed 9/17/71 193
Fire Protection Training Act, enacts, SB 236 returned 9/27/71 169
Judges Retirement System, ordinary and contingent expenses, HB 861 reduced 9/2/71 251
Junior College Board, ordinary, contingent and distributive expenses, HB 1676 line item veto and reduced 7/16/71 272
Lewis and Clark Trail Committee, HB 1895 vetoed 8/17/71 291
Local Government Affairs, Dept. of, tax sharing distribution, HB 1581 vetoed 9/17/71 270
Mental Health, Dept. of, ordinary and contingent expenses, SB 277 reduced 7/15/71 172

Non-public State Parental Grant Act of 1971, SB 1195 returned 9/10/71 207
Non-public State Parental Grant Plan for Children of Low Income Families Act of 1971, SB 1196 returned 9/10/71 207
Northeastern Illinois Planning Commission, expenses, HB 1208 approved 8/31/71 264
Office of Superintendent of Public Instruction
Public Aid, Dept. of, ordinary, contingent and distributive expenses, SB 1216 reduced 7/13/71 210
Public Junior College Act, flat and equalization grants, HB 1677 vetoed 9/24/71 273
Public Works and Buildings, Dept. of,
  Brussels ferry, HB 26 vetoed 9/17/71 214
  Flood control, Madison County, SB 549 vetoed 9/8/71 178
  Highway improvements,
    Jefferson County, HB 2353 vetoed 9/23/71 304
    Peoria County, HB 2584 vetoed 8/31/71 309
  Waterways improvement, HB 2936 line item veto 7/23/71 315
Scholarship Commission, ordinary and contingent expenses, HB 2221 reduced 7/13/71 301
Schools, Williamson County special education facility, HB 2058 vetoed 9/24/71 299
Southern Illinois University, ordinary and contingent expenses, SB 1190 vetoed in part and reduced 7/16/71 205
Travel Arrangers Registration Act, HB 1707 vetoed 9/23/71 274
University of Illinois, ordinary and contingent expenses, SB 717 line item veto and reduced 7/16/71 184

ASSESSORS

Public access to records, HB 1764, returned 9/17/71 278

BARBERS

Antitrust Act, exempts, SB 64 vetoed 7/2/71 166

CHILDREN

Child protection districts, Act, administration of, HB 2091 vetoed 8/4/71 301
Minors, consent to medical operations, adds dentist and dental services, SB 262 returned 8/27/71 171

BUDGET

Appropriation bills, fixes date of introduction, SB 1221 vetoed 9/17/71 210

CIVIL SERVICE

University Civil Service, sick leave accumulation, SB 916 vetoed 9/23/71 192
Reinstatement, back pay, SB 1096 returned 9/17/71 200

COMMISSIONS

Atomic Energy Commission, HB 814 reduced 9/10/71 243
Commerce Commission, power plant site location, HB 2050 vetoed 9/17/71 297

Crime Investigating Commission, SB 38 approved 3/4/71 165
Data Information Systems Commission, HB 2373 returned 12/20/71 330
Fire Protection and Standards Commission, SB 236 returned 9/27/71 169
Higher Education Commission, HB 2914 vetoed 9/17/71 315
Illinois-Mississippi Canal and Sinnissippi Lake Commission, HB 1684 returned 12/20/71 327
Insurance Laws Study Commission, HB 356 reduced 9/10/71 221
Northeastern Illinois Planning Commission, HB 1208 approved 8/31/71 264
Right to Privacy Commission, HB 1878 vetoed 9/10/71 290
State School Lottery Study Commission, HB 1714 vetoed 9/10/71 276
Technological Progress Commission, SB 1198 vetoed 9/10/71 207
Wagering Revenue Source Study Commission, HB 2576 vetoed 9/10/71 309

CONSERVATION

Administrative orders, publication of, HB 1395 vetoed 8/24/71 266
Licenses, senior citizens,
  hunting, HB 2449 vetoed 8/4/71 306
  fishing, HB 2450 vetoed 8/5/71 307
State game farms, designates, HB 584 returned 8/24/71 226
State parks, designates new, HB 2572 returned 8/27/71 308

CONSUMERS

Credit cards, holders liability, SB 665 approved 9/24/71 218
Labeling requirements, drugs, HB 2260 approved 9/24/71 218
  Food, Drug, and Cosmetic Act, HB 208 approved 9/24/71 218
  Pharmacy Practice Act, HB 207 approved 9/24/71 218
Motor vehicles, statement of dealers preparation obligations, HB 842 approved 9/24/71 218
Retail installment sales, prohibits balance acceleration unless buyer defaults, HB 2628 approved 9/24/71 218
Wage Deductions Act, increases exemptions, SB 664 approved 9/24/71 218

COUNTIES

Cook, county offices outside county seat, HB 677 returned 8/20/71 227
Eminent Domain, compensation payments, HB 592 vetoed 9/23/71 227
Zoning, temporary construction facilities, HB 1186 returned 8/12/71
  back door referendum, HB 2569 vetoed 8/31/71 307

COURTS

Circuit, administrative secretaries salary increases, HB 1460 returned 9/2/71 267
Cook County, housing courts outside county seat, HB 677 returned 8/20/71 227
Court reporters, increases maximum compensation, HB 1875 returned 9/2/71 289

CRIMES

Firearms, watchmen, HB 1753 returned 9/21/71 277

DATA PROCESSING

Finance, Dept. of, electronic data processing operations, HB 2368 returned 12/1/71 332

DRAM SHOP

Landlords, limits liability, HB 1177 vetoed 12/20/71 330

DRUGS

Controlled Dangerous Substances Act, HB 787 approved 8/16/71 232
Controlled Substances Act, administration, HB 2008 vetoed 8/16/71 295
Labeling requirements,
  HB 2260 approved 9/24/71 218
  HB 208 approved 9/24/71 218
  HB 207 approved 9/24/71 218
Marihuana, Cannibas Control Act, HB 788 approved 8/16/71 232
Narcotic addicts, civil commitment, repeals HB 1914 vetoed 9/10/71; HB 2006 returned 9/10/71 295
Uniform Controlled Substances Act, enacts, SB 177 returned 8/16/71 232
Uniform Narcotic Drug Act, methadone programs, authorizations of, HB 1915 vetoed 8/16/71 292

ELECTIONS

Ballots, recount and evidence in contest, restores basic provisions of Act deleted by PA76-1259, HB 1578 vetoed 8/27/71 268
Election Code, conforms to federal voting rights Act amendments of 1970, insofar as upheld by U.S. Supreme Court, SB 719 vetoed 9/27/71 186
Electronic voting, central counting location, HB 3653 returned 1/12/72 336
General Assembly vacancies, provides method for filling,
  SB 67 vetoed 9/27/71 166
  HB 3042 vetoed 9/27/71 318
Judges nomination, makes primary provisions, HB 3623 vetoed 12/1/71 336
Primaries, top ballot priority for incumbents, HB 2485 vetoed 12/10/71 334
Schools, residence requirements, HB 1963 returned 9/8/71 293

EMINENT DOMAIN

Compensation, changes receiver in counties of 1,000,100 from treasurer to circuit court clerk, HB 592 vetoed 9/23/71 227

EMPLOYMENT

Veterans, private employment agency, job placement service, state support,
  HB 1965 vetoed 9/23/71 293
  HB 2471 vetoed 9/23/71 307

ENVIRONMENTAL PROTECTION ACT

Administrative decisions, transfers appeal from appellate to circuit court, HB 2059 vetoed 9/17/71 299
Noise level, establishment of limits, HB 785 returned 9/19/71 230
Spraying of loose asbestos to fireproof or insulate buildings, prohibits, HB 1842 returned 9/17/71 287

FOREST PRESERVE DISTRICTS

Annexation by city without permission, prohibits, HB 1579 vetoed 8/20/71 269

HOLIDAYS

King, Dr. Martin Luther, Jr., birthday of, HB 1163 and HB 1164 returned 9/23/71 261

HUMAN BODY

Transplants or transfusions, service, furnishing of rather than sale, HB 16 approved 7/2/71 213

INSURANCE

Automobile, "no-fault," SB 976 approved 9/17/71 194
Automobile, insurance apportionment, mandatory participation agreements, provides for, HB 1113, approved 8/2/71 260
Guaranty Fund Article for insolvent companies, enacts, HB 46 approved 7/21/71 215
notice of cancellation or intention not to renew auto policy, requires, HB 1959 returned 9/23/71 293

JUDICIARY

Antitrust Act, revises reference to institute proceeding in equity to bring suit, HB 438 returned 8/17/71 223
Court reporters, salary, SB 802 vetoed 9/2/71 190
Fees and salaries, judges and associate judges, salary schedule, revises, SB 1098 returned 9/2/71 200

JUNIOR COLLEGES

Buildings, state funds, HB 1819 vetoed 9/23/71 286
Class I junior college districts, revises population and assessed valuation requirements for organization of, SB 1188 returned 1/17/72 335
Courses taught in fields leading directly to employment, requires 30%, SB 909 returned 9/17/71 192

LABOR

Dispute, persons offering themselves as replacements for striking employees, prohibits recruiting and hiring of, SB 560 vetoed 9/17/71 178
Labor, Dept. of, Division of Boiler Inspection transfer from Dept. of Law Enforcement, HB 2932 vetoed 1/12/72 315

LAND

Conveyance, Johnson County, State's interest to Vienna Chamber of Commerce, HB 1674 vetoed 7/31/71 272
Surveyors Act, licensing qualifications, education and experience, equates, SB 710 returned 9/1/71 183

LAW ENFORCEMENT

Motor vehicle rules consistent with federal equipment standards, allows Director of Law Enforcement to promulgate, HB 863 vetoed 8/4/71 252

LIBRARIES

State Historical, policies, powers and duties of librarian, revises and clarifies, HB 2769 returned 9/21/71 312

LIMITATIONS ACT

Male age, reduces to 18 for bringing cause of action, HB 1309 returned 8/24/71 265

MARRIAGES

Males, legal age to marry, reduces to 18, HB 684 vetoed 8/24/71 228

MENTAL HEALTH, DEPT. OF

Care services purchased, promulgate regulations governing, HB 2635 returned 8/27/71 310

MOTOR FUEL TAX

Grade Crossing Protection Fund, monthly allotment to, provides, SB 458 returned 9/23/71 177

MOTOR VEHICLES

Axle weights, allows shifting to comply with legal limits, HB 1802 vetoed 9/8/71 285
"combination of vehicles," defines, HB 2305 vetoed 9/10/71 303
Drivers license, commercial, revocation criteria, HB 390 vetoed 9/23/71 221
Drivers License Control Review Board, provides for, HB 2651 vetoed 9/17/71 311
Filing and annual renewal fees, increases and changes beginning renewal period, SB 1005 vetoed 9/17/71 198
License hearings, allows Secretary of State to reset or continue, HB 27 vetoed 8/27/71 215
Manufacturers, delivery and preparation obligations filing, required, HB 842 approved 9/24/71 218
Stock control acquisition of 2 or more motor carriers by individuals, provides, HB 2765 vetoed 9/17/71 312
Trucksters, exempt from safety tests, HB 2063 returned 9/23/71 301
Vehicles, pushing, HB 197 vetoed 6/17/71 217

MUNICIPALITIES

Annexation of forest preserve districts territory, without permission, prohibits, HB 1579 vetoed 8/20/71 269
Quo Warranto, challenge organization, HB 549 returned 8/27/71 225

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION

ordinary and contingent expenses, SB 1213 line item vetoes 7/16/71 207
apprenticeship programs, vocational schools in districts over 100,000, HB 776 line item veto 9/23/71 230
disbursement, HB 1758 reduced 7/28/71 277
private schools, Financial Assistance Act for non-public institutions of higher learning, enacts, HB 1218 line item veto 7/13/71 265

PARK DISTRICTS

Establishes 7% interest limitation, HB 1951 returned 12/3/71 327

PENSIONS

Pension Code, repeal certain sections inoperative, HB 980 vetoed 9/10/71 256
State Board of Investment, transfers investment management of public pension funds, SB 167 vetoed 9/10/71 167

PROBATE

Age requirements for executor or administrator, HB 687 returned 8/24/71 229
Probate Act, eliminates references to dower, HB 535 returned 7/23/71 224

PUBLIC AID, DEPT. OF

Aged, blind and disabled, increases amount to be waived in determining need, SB 849 vetoed 9/23/71 191
Blind, increase amount to be waived, SB 131 vetoed 9/23/71 167
Residence, one-year requirement for assistance, SB 1225 vetoed 9/23/71 211

PUBLIC UTILITIES

Commerce Commission, clarifies powers and functions for plant sitings, HB 2050 vetoed 9/17/71 297

PUBLIC WORKS AND BUILDINGS, DEPT. OF

Brussels ferry, HB 26 vetoed 9/17/71 214
Highway improvements,
  Jefferson County, HB 2353 vetoed 9/23/71 304
  Peoria County, HB 2584 vetoed 8/31/71 309

REGISTRATION AND EDUCATION, DEPT. OF

Division of Professional Supervision, requires to administer Controlled Substances Act, HB 2008 vetoed 8/16/71 295

SAVINGS AND LOAN ASSOCIATIONS

Business corporations, restricts ownership, SB 1017 vetoed 9/24/71 198
Facility retention in event of supervisory merger or relocation, permits, SB 1144 approved 9/20/71 203

SCHOOLS

Apprenticeship programs, vocational schools in districts over 100,000 HB 776 line item veto 9/23/71 230
District, assessed valuation, HB 1628 returned 8/4/71 271
Elections, residence requirements, HB 1963 returned 9/8/71 293
Private Schools Financial Assistance Act for non-public institutions of higher learning, enacts, HB 1218 line item veto 7/13/71 265
Teachers, minimum salary level, annual increases, provides for, HB 1516 returned 9/27/71 267
Williamson County, special education facility, HB 2058 vetoed 9/24/71 299

SECRETARY OF STATE

License problems hearing, allows Secretary to reset or continue, HB 27 vetoed 8/27/71 215

SOCIAL WORKERS

Social Worker Registration Act, experience, extends deadline for filing under grandfather clause, SB 589 returned 12/20/71 334

STATE EMPLOYEES

Personnel Code, employee suspension for reasonable period, compensation for time lost, SB 1096 returned 9/17/71 200

STATE TREASURER

Name signature by stamp after signature facsimile filing, allows, SB 1280 vetoed 1/12/72 336

STATUTES

Construction of, prescribes conformance with 1970 Constitution, HB 3032 returned 9/10/71 317

SUPERINTENDENT OF PUBLIC INSTRUCTION

(See Appropriations)
Vacancy, repeals sections dealing with, conformance with 1970 Constitution, SB 652 vetoed 9/8/71 182

WORKMEN'S COMPENSATION ACT

increases benefits, HB 844 returned 8/27/71 243

WORKMEN'S OCCUPATIONAL DISEASES ACT

increases benefits, HB 845 returned 8/27/71 248

TELEVISION

education and non-commercial, authorizes SIU, WIU, NIU to construct and operate, SB 964 vetoed 9/17/71 193

TRAILERS

Coach parks, exemptions, HB 1814 vetoed 9/8/71 286

TRANSPORTATION

Schools, permits districts to sell vehicles to mass transit district, HB 2040 approved 9/8/71; HB 2041, SB 734, SB 735 and SB 738 all approved 9/8/71 296
Urban Transportation District Act, districts semi-annual audits, requires, HB 1864 vetoed 8/4/71 288

TRAVEL

Travel Arrangers Registration Act, creates, HB 1707 vetoed 9/23/71 274

UNEMPLOYMENT COMPENSATION ACT

Provides for receipt during determination of eligibility, SB 978 vetoed 9/17/71 197
Women, availability for work following birth of a child, HB 2209 returned 9/23/71 328

VACANCIES

General Assembly, provides method for filling, SB 67 vetoed 9/27/71; HB 3042 vetoed 9/27/71 318
Superintendent of Public Instruction, Auditor, deletes provisions for filling, SB 652 vetoed 9/8/71 182

(37746—2500—9-72)
7

UNIVERSITY OF ILLINOIS-URBANA
3 0112 065101518